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(23) Cinchona Plantation—Anamalais Hills (Coimbatore district).

(24) Malabar District—New Settlers' Colonies.

(25) Kodaikanal and Palni Hills, Madura district."

SRI R. SURYANARAYANA RAO :—" Sir, may I know in the long list which the Hon. Minister was good enough to read, whether in all cases the Government are only meeting one-third of the cost? "

THE HON. SRI A. B. SHETTY :—" Sir, as I have already said where the District Board finances do not permit sufficient contribution for the scheme and when the scheme is very urgent and necessary, the Government give larger grants for the scheme."

SRI R. SURYANARAYANA RAO :—" Sir, may I know whether the case of Harpanahalli does not come under that category? "

THE HON. SRI A. B. SHETTY :—" The District Board as well as the Panchayat Board said that they are unable to meet any portion of the cost."

SRI R. SURYANARAYANA RAO :—" If the District Board is really poor and if the Government are satisfied and if the Panchayat Board is also equally so, in view of the ravages of Malaria, do not the Government consider it necessary to waive in such cases insistence on contributing their portion of the cost? "

THE HON. SRI A. B. SHETTY :—" Such matters will be considered on their merit."

SRI R. SURYANARAYANA RAO :—" Sir, will the case of Harpanahalli be considered on its merit? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

GOVERNMENT BILL.

II.—THE MADRAS ESTATES (REPEAL AND CONVERSION INTO RYOTWARI) BILL, 1947 (L.A. BILL No. 37 OF 1947)—cont.

DEPUTY PRESIDENT :—" Now, we shall resume discussion on the Zamindari Abolition Bill. Already we took three days to discuss this Bill. To-day we shall finish the general discussion and I am going to fix a time-limit of 30 minutes as per rule 64 (2) which says—

'(2) The President may, by general order, prescribe a time-limit for speeches on Bills or resolutions or amendments to a Bill or resolution, or on adjournment motions under rule 36.'

Therefore, I request hon. Members to confine their speeches within 30 minutes. Now, Mr. Natarajan will continue his speech."

* SRI K. NATARAJAN :—" Mr. Deputy President, Sir, I was myself feeling that I was somehow not in order in taking up so much time of the House the other day and I also now feel I must, as far as possible, stick up to the time-limit imposed by the Deputy

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President. I know that many of these memorials are communicated to all members of the Legislature—both Assembly and Council. In my case it so happens, that because from the very beginning Tanjore has not at all been given good prominence in the discussions so far made, many people have sent special letters asking me to make representations on their behalf. Therefore, I crave your indulgence, Sir, to extend the time-limit of 30 minutes by two or three minutes more.

“ Sir, I shall begin where I left. From what I read in the ‘ Indian Express ’ to-day, I see that the same difficulty which I felt, in the Bill is attempted to be met. I find that the Hon. Minister in an interview has stated that steps would be taken to have Section 299 of the Government of India Act, 1935, amended and I am satisfied with that. Fortunately enough, I find in the newspapers that even the Deputy Prime Minister of India, Sardar Patel, with reference to other points, is going to move an amendment to the Government of India Act of 1935. I believe, this is an opportune time when this amendment also may be brought to his notice and he may be requested to have this suitably amended. But I am not so much for the amendment being carried and stopping there. I am more satisfied with the answer which the Hon. Revenue Minister gave that payment in cash is not difficult or impossible. If money is paid in hard cash, it will assuage to a certain extent the feelings of the zamindars, palayamdars and to a greater extent the poor inamdars who are overburdened with debt. This payment of money will be certainly a welcome relief to them. Therefore, I would request, on behalf of all those affected by this Bill, the Hon. Revenue Minister to see that somehow or other these people are paid in cash so that they may not be put to unnecessary hardship.

“ Sir, the other day I was dealing with the Palace Estate of Tanjore. As I said, this Palace Estate consisting, in the main, of about 150 villages is included in the category of Inams. The fact, that one's own property has been treated as inam, is no doubt a paradox. The law has its paradox. Therefore, I request that so far as compensation is concerned, the owners of the Palace Estate, whoever they may be, may be treated on a more liberal footing. Tanjore presents difficulties of its own in the matter of this legislation.

“ Sir, there is also one other difficulty. Although it is a private estate of the Raja and although the landholders are owners of the property, certain people have got decrees in the court recognizing them as occupancy tenants, by reason of this property being treated as inam. Therefore, they are considered to be ryots now in the matter of granting ryotwari pattas. Here the difficulty comes in. Though these persons are owners of the property, they are treated as melvaramdars. But they must be treated as ryotwari pattadars. So far as those persons who have got occupancy rights and have been in possession of the property are concerned, they must be given ryotwari patta also but their position will be that of an under-tenure holder. At the same time what I want is that the persons who are interested in the administration of this Act must be

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persons who are more acquainted with all these complicated judicial ideas. Therefore, the Palace Estate must be treated on a more liberal footing in the matter of compensation. Secondly, those persons who have got occupancy rights must be treated as persons who are entitled to an under-tenure patta. This is my conclusion. I do not want to dilate upon that matter any further.

“ Then, I come to the next complicated thing. In Tanjore, there are, what are called, Palace Chatrams. After the then Raja's death in 1852, these Chatrams were taken over under the management of the Collector under Regulation VII of 1813. What happened afterwards was, that the Collector under the District Boards' Act transferred these chatrams to the management of the District Board of Tanjore. If you are going to appoint Collectors to take possession of the property after the notified date, what is to be done with this property that is now managed by the District Board?

12 noon. “ Now in so far as this is concerned, there is one difficulty which we feel and which I hope, the Hon. Minister will kindly consider. Even in the Prakasam Committee's Report, which has dealt with this Estate in particular, the Committee has come to only a very dubious conclusion in regard to the legal status of the chatrams in the Tanjore district and I shall read the concerned paragraph from that Report which gives us only a very vague idea of the same. This is what the Report says at page 108, Part II :—

“ Tanjore Chatram Estate had, notwithstanding the fact that it was originally an inam long ago became the property of the Government after the death of the last of the rulers of Tanjore.”

“ With due respect, Sir, I may submit that this statement is not correct and it did not become the property of the Government. The Report further states :—

‘ The Board of Revenue managed the estate on behalf of the Government and later transferred it to the District Board. The District Board became the proprietor of the estate. It is therefore an estate and not an inam and for that reason it has been included amongst the Southern Estates, and the evidence considered along with other estates.’

“ This statement, I submit, Sir, is not also correct. If it became the property of the District Board, how could the Government claim it now and include it as an estate? The legal status of these chatrams in the Tanjore district is very dubious and now I only wish to point out to the Hon. Minister for Revenue to go into the matter again and see that they are properly defined, before the Collector is asked to proceed under this Bill after it becomes law. As I have just now stated, in respect of this species of property in the Tanjore district there is still some doubt, and I hope, that later on when rules under sections 67 and 68 are going to be made, this question will be considered again by the

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Government and suitable instructions issued to the District Collector or to the authority who is to proceed to act under this Act and see that this difficulty is resolved and the exact position of these chatrams correctly defined, so that their work could be carried on in a well-regulated manner.

" Sir, there is also another complication which is peculiar to the Tanjore district alone and I think that the draftsman of this Bill has not apparently given due attention to this aspect of the question, in drafting this Bill. Here I refer to the Devasthanam temples and choultries. There are about 130 temples in the Tanjore district, which are known as Palace Devasthanams and they have got a number of villages, as endowments granted by the ancient rulers. So far as these devasthanam temples are concerned, the Religious Endowments Board has been exercising general control and supervision over them, and a scheme has been framed by the Religious Endowments Board, whereby persons have been appointed to manage their affairs under a trustee of the temple, who is a descendant of the Rajah. Now what is the legal position of these Palace Devasthanams? The trustee is a descendant of the Rajah and he is appointed to that post under a scheme framed by the Hindu Religious Endowments Board. What is to become of these Palace devasthanams under this Act, when it is enforced? That has not been made clear and we are still in doubt as to what exactly is going to happen to them. I would therefore request the Hon. Minister for Revenue before enforcing this Act, when it is passed, to visit these institutions and cause inquiries to be made into their legal position and define their status under this Bill and see that their work is not interrupted.

" There is another question which has also to be settled in regard to religious institutions. When these religious inams are taken over by the Government, a tasdik allowance is proposed to be given to these institutions under clause 38. As I have already said, so far as many of these temples are concerned, their work is being carried on under a scheme framed at the instance of the Religious Endowments Board and persons are already in possession of the temples. Now these properties are earmarked for certain purposes for each temple. In Tanjore we have got so many temples, wherein so many festivals are conducted during the year and expenses for these festivals are earmarked and paid out of the income from such properties. There are what are called grain expenses. I do not think that this Act makes any provision for such a thing when referring to the tasdik allowance to be paid under section 38. Are these things to be paid in cash hereafter? I hope that clear and suitable instructions will be given to the authorities concerned in regard to this matter, when the Act is enforced. As I just now referred, there are now two statutory authorities over these temple properties, namely, the Collector and the Religious Endowments Board and the Government are going to introduce another authority under this Act. It is very necessary to clarify the functions of these three authorities under the Bill.

" Sir, now let me come to the question of the ordinary inams. I understand from the hon. Friend Mr. Ramanatham Chettiyar

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that he intends to speak on this subject, and I will be providing some time for him, if I mention only this, with special reference to the Tanjore district. So far as inamdars and zamindars are concerned, there are alienees from both of them. What is their position? If you completely wipe off these alienees from the purview of this Bill, then there will be no difficulty. But this Bill has given one indication in regard to these alienees. Taking the definition of zamindari estate if they had registered themselves separately, I think, they will be exempt from the operation of this Act. I do not know whether I am correct, but this point has been puzzling to me and it is a point which has to be dealt with by the Legislature itself. But I shall not take up the time of this House by raising what may be considered legal conundrums.

“ Sir, one instance of a rather inattentive drafting, I may mention here. In the definition section, various terms coming under this Bill have been defined and there are three definitions with which we are immediately concerned. Clause 2, sub-clause (7), defines an inam estate and it says that “ an inam estate ” means an estate within the meaning of section 3, clause (2) (d), of the Estates Land Act, but does not include an inam village which became an estate by virtue of the Madras Estates Land (Third Amendment) Act, 1936.’ Then again ‘ an under-tenure estate ’ is defined to mean an estate within the meaning of section 3, clause (2) (e), of the Estates Land Act. Now we shall see what section 3 (2) of the Estates Land Act says. The definition of an under-tenure estate in the old Act is, ‘ any portion consisting of one or more villages of any of the estates specified above in clauses (a), (b) and (c) which is held on a permanent under-tenure.’ In effect the definition given here for an under-tenure estate is, ‘ an under-tenure means an under-tenure.’ Does this make any sense and will this be clear to the ordinary person. I would request the Hon. Minister for Revenue to look into these definitions once again and see whether they cannot be made more understandable and clearer to the reader.

“ Then take again the definition of the term Inam Estate. It is a negative definition. It does not say which is an inam estate. It is like defining a cat as that which is not a dog. The Hon. Minister is apparently anxious to get this Bill through, without any amendment or alteration in this House. If he is satisfied with these definitions, then of course, I have nothing to say. But with all our experience here for the last so many years, I think it will not be very complementary, if the Hon. Minister for Revenue accepts these definitions as very accurate definitions.

“ Then let us take up the definition of a zamindari estate as given under clause 2, sub-clause (16). It says, that ‘ zamindari estate ’ means—

- ‘ (1) an estate within the meaning of section 3, clause (2) (a), of the Estates Land Act, after excluding therefrom every portion which is itself an estate under section 3, clause (2) (b) or (2) (e), of that Act; or

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- (2) *an estate within the meaning of section 3, clause (2) (b) or (2) (c) of the Estates Land Act, after excluding therefrom every portion which is itself an estate under section 3, clause (2) (e) of that Act.*

"I have tried to understand this definition with the best of my ability, by making all these plus and minus calculations, mentioned therein, but I must say, I am at a loss to understand what exactly a zamindari estate is, according to this definition. Perhaps my arithmetical knowledge may be defective or my understanding of the English language may be very deficient. But at the same time, I submit that when definitions are given to terms which are to be used in everyday life, they must be a little more understandable by the common people who have to deal with them and whose interests are affected by such measures. If the Hon. Minister considers these things again and makes them clearer, I shall be happy.

"Sir, now after making these arithmetical calculations, and going through the various provisions of this Bill, I have come to the conclusion that whoever had purchased properties from the zamindars at any time and had them registered in their names and such entries are found in the Collector's records, then such owners of properties will be exempted from the operation of this enactment. I should like to know whether this conclusion of mine is correct. If not, I hope the Government will consider this matter again and issue clear instructions to the authorities who are to work this Act after taking competent legal advice. Otherwise various legal complications would arise, giving place to endless litigations, which sometimes would be taken up to the Privy Council. We must not give room to such things.

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"There were many amendments of the Madras Estates Land Act from 1908 to 1936 numbering about 15. There were many pronouncements that the Madras Estates Land Act was very badly drafted and probably it is the fate of this Bill also. I request the Hon. the Revenue Minister, because he is very well acquainted with all these difficulties, to make the provisions of the Bill precise. Let the inamdars and the zamindars be at any rate satisfied with regard to the provisions of the Bill so that they may not be tempted to resort to courts with regard to them. That is my submission to the Hon. Minister, Sir.

"Then I come to another question. What about the purchasers from the inamdars? I wish to state one thing regarding this. The next portion of it I shall leave to my hon. Friend Mr. Chettiyar. Of course the original inamdars were mostly Brahmans. But even at the time of the inam settlement in 1862 in Tanjore the original grantees had disappeared, i.e., most of the inamdars had sold away their properties for valuable consideration. The inam title deed is granted to the effect that it is their freehold and they can alienate the inam or do whatever they like. It is alienable, it is transferable, it is heritable. That is the wording of the inam title. So the inams have now passed through the hands of several generations from 1862, at least five generations, namely,

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from the purchasers to their sons and their heirs. They have purchased the inams even before 1862 and the purchase was always for valuable consideration in the bona fide belief that nobody would interfere with the state of affairs. Now how are we going to act? I say: Once for all deal with the matter in a separate legislation. But for the present openly declare by putting in a provision that so far as alienees from the inamdars and the alienees from the zamindars are concerned, they would be dealt with in a separate legislation, and that for the present you will keep the matter in suspense as in the case of the 1936 inams. Whether the Government are going to accept this or not, this is my submission. Otherwise there will be a lot of litigation. If there is one case now, there will be one hundred cases in its place. That is the difficulty I wanted to point out, Sir, and I want the matter should be settled now. In these unsettled times no litigation must be allowed and people must not be put to further expense. In one way they are ousting the jurisdiction of the Courts and in another they are opening the flood gates of litigation for the courts.

"Another thing which I want to refer to is about clause 55 of the Bill. Clause 55 says:

After the notified date, the landholder shall not be entitled to collect any rent which accrued due to him from any ryot before, and is outstanding on, that date; but the manager appointed under section 6 shall be entitled to collect as such rent . . .

"I shall stop with this portion. Sir, I submit the notified date will not be the same everywhere. And it will not be immediately after the passing of the Act. There are so many districts in the Presidency and the Bill will not apply to all the districts at once but will only apply to particular localities on a notified date. The date of notification may vary from one to three years. What does the clause say? After the notified date the landholder shall not be entitled to collect. What is to become of the arrears which will be accruing to him or which have accrued to him already? So far as Tanjore is concerned the notified date may be after two years, say in 1950. Now the landholder will be entitled to collect rents due to him for the years which are not barred by limitation. In the Tanjore district it so happens suits under section 77 of the Estates Land Act for recovery of rents have been kept pending without any *vimochanam* for these people. Some Deputy Collectors have disposed of the cases and some have kept them pending. Now the proviso to clause 55 says:

Provided that any such rent, which accrued due in respect of the fasli year 1356 and earlier faslis, shall be reduced on the basis that the landholder is entitled in respect of each of those faslis, only to the rent as determined under the Madras Estates Land (Reduction of Rent) Act, 1947.

It is also said that if the ryot has paid before the notified date, or pays within two years of that the rent due for the fasli years 1356 and 1357, etc., then all arrears of rent due from him shall be deemed to have been completely discharged. Suppose a ryot is due to pay

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rent for five faslis and I am not barred from recovering it, and I have instituted a suit and the suits are pending. They will notify the estate in 1950. Now they say that if the rents for the faslis 1356 and 1357 are paid then all arrears of rent due from such ryots will be deemed to have been completely discharged. So if the ryot pays the arrears of rent for 1356 and 1357 in the year 1952, two years after the notified date, what happens to the rents previously due, which are not barred by limitation and where there is a competent decree. I wish this state of affairs must be contemplated. I have read the Agricultural Debt Relief Act, Sir, and I see that provision has been made for such contingencies. The Act which was introduced by Rajaji, the present Governor-General, fixed a certain date for the payment of arrears for certain faslis. In section 15 of the Agricultural Relief Act this is what is stated—

‘If anybody pays on the 30th of September 1939 the arrears accrued due for two faslis then the whole arrears will be wiped out.’

Therefore a certain definite date should be put. Never mind the notified date, because it will be varying and it may not be uniform. There must be some provision to the effect that all the persons in the presidency who are in arrears to the landholder must pay on such and such a date, say 1st of July 1949 the arrears for these two faslis and then they will be discharged from all arrears of rent. He also issued a moratorium that no suits could be filed. Here nothing of that sort has been done. They have stated that eviction proceedings may be stayed. For suits under section 55 they have not issued a moratorium. If suits against the tenants are barred to-morrow I must file a suit for arrears, because I do not know the notified date and I do not know when he will pay the arrears. I cannot allow it to get time-barred and therefore I have to file a suit. If the Hon. Minister still persists that simply because the payments for faslis 1356 and 1357 are made the whole thing can be wiped out, if he continues to believe that it is moral, if he continues to believe that the landlord must lose not only melwaram or the kudiwaram but also the arrears of rent due to him, although he has been paying the tax, I request him to at least save the inamdar and the landlord from the necessity of further suits. Let him issue an ordinance namely that no further suits should be filed regarding the arrears of rent in a particular locality till the notified date. This will save the proceedings that are pending and it will save a lot of time and energy and expense. I do not know, Sir, whether I have made myself clear to the Hon. the Minister regarding this point which has to be taken into consideration. There is this difficulty for thousands of people who are at the mercy of the courts. It is no use to be told in 1952, two years after the notified date, that two years' rent will be paid. Till then they will be going on instituting suits. This is also an instance of rather bad drafting in this legislation. This is all I have to submit, Sir.

“Unless they pay adequate and equitable compensation it will not satisfy the people who are affected by this measure. There

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is no use getting the Act alone amended. That will not satisfy them. It was given to a Justice Government, Sir, to deprive the zamindar of their rights and it was left to the Congress Government to deprive the landholders of their kudiwaram and melwaram rights and there is still something left, namely, the 1936 inams. The Hon. the Minister is saying that he will introduce legislation. He is one of those gentlemen who will keep their word. The zamindar has been deprived of the melwaram and the kudiwaram rights, the inamdar has been deprived of his kudiwaram right and now you are taking away his melwaram right also, so far as the 1908 inams are concerned and then so far as the rest are concerned there is the promised legislation. I therefore request the Hon. Minister to consider these points. As regards the definition of the 1936 inams, the Hon. Minister's definition does not satisfy us. It must be as in the old Act, namely: "An estate means all those lands which were granted to a landholder, he being not already the owner of the kudiwaram". That will be the correct definition.

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"Sir, I take strong exception to the fact that the burden of proving that the estate is not 1936 inam is laid on the person who has to assert it. What is the procedure? They issue notices to the people who are lulled in the belief that the 1936 inams will not be affected and want them to inquire: What are the notices on the boards? What are the notifications in the gazettes? Does it affect me? There is only one appeal to the Tribunal. The whole thing is final there and you cannot appeal to a Court of Law. Then what is to be done. Please define it as correctly as possible. I know that a correct definition of the holder and other things is not possible. But, this kind of elimination definition, negative definition and subtractive definition are very very rare in legislations. If he gives a correct definition, then the Hon. Minister's name would be worshipped as one who stands for the amelioration of the tillers of the soil. By doing this, the Hon. Minister will also avoid a crop of litigations. Therefore, in his own behalf, I say he should give a correct definition. We are satisfied with the underlying principle of this Bill and it is also the tendency of modern times that the Government of the people should be agreed that these intermediaries should be removed and that the so-called tillers of the soil must be benefited. We support that object but we are here to see that no unnecessary litigations crop up on account of this measure.

"Then, Sir, so far as the objection taken by my hon. Friend and such an eminent gentleman as Dr. Lakshmanaswami Mudaliyar, is concerned, I fully and respectfully support what he said. Why should the rules be placed before the Legislative Assembly and not before the Legislative Council also? He asked, 'what is the meaning of saying that only the Legislative Assembly shall go into those rules.' He also asked why 1939 should be taken as the basis, and then there is the lacuna in adopting a later date. In these things, I fully agree with him and if the Government think fit, they can accept some of the amendments proposed to be moved

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in this Council with regard to these things. The Minister should not say, that we have again to take this Bill to the Legislative Assembly if we pass some amendments here by a majority. If it is necessary, he should take it again to the Legislative Assembly and should not rush through this important legislation."

THE HON. SRI KALA VENKATA RAO :—" After fourteen months! "

SRI K. NATARAJAN :—" Sir, I know in another Act of 1934, though the Act was passed in the year 1934 by the Legislative Council, the then Governor said that in view of the complexity, he would not give his consent. It was pending for nine months. There were amendments placed on the table after the Bill was passed into law by the Legislative Council. The members said that though these amendments were brought to their consideration, at any rate, they were not fully conversant with the scope of those amendments. This is what the Governor said with reference to them."

THE HON. SRI KALA VENKATA RAO :—" Now-a-days he has no powers."

* SRI K. NATARAJAN :—" That is not the question, Sir. I do not want to invoke anybody's powers. I only want to invoke the power of the Hon. Minister and also to invoke his discretion. Therefore, Sir, in 1934 the Governor said that the measure was a complicated thing, and although there were amendments placed on the Table of the Council when that legislation was considered and everything about the pros and cons, the effects, the consequences and the import of the legislation were known, still he said it was a very very complicated legislation and therefore he would not give his consent. He said, ' Better have it reconsidered and re-examined by the Council.' That is why there was a delay of two years and then the Act was passed only in 1936. Similarly now, I request the Hon. Minister to wait and to settle all the complications."

" Only one word, Sir, before I sit down. Nobody need be surprised that I support this Bill. As I began, I end. The trend of modern times and the trend of modern ideas is such that if you want to get rid of the zamindars—the Hon. Dr. Lakshmanaswami Mudaliyar also put it in so many eloquent words—if you want to get rid of these zamindars, you will have to get rid of them in as harmless a way as possible. Therefore, if this Bill is passed into law, due compensation should be given to those people so that there may be an end of these matters and an end of these litigations. I finally apologise to you, Mr. Deputy President and the Hon. Minister and the Council for having taken so much of the time of the House. But, because I had so many things and because I had a duty to discharge towards my constituents who have placed specifically certain matters in my hands, I had to take so much

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time. As the Hon. Dr. Lakshmanaswami Mudaliyar gave a certificate yesterday, I also say that the Hon. Minister who is well-versed, is entitled to be a doctor."

* S. K. SHAIK ROWTHER SAHIB BAHADUR :—" Mr. Deputy President, Sir, at the outset, I would like to consider the objects and reasons which prompted the Government to bring in this Zamindari Abolition Bill. The Hon. the Minister for Revenue while moving this Bill said that one of the reasons is that the electors have returned their Party to this House on the promise of the abolition of the zamindaris and so they are just implementing the election manifesto in seeking to abolish the zamindaris now. The other reason for bringing this measure, the Hon. the Revenue Minister said, is to better the economic condition of the tenants in the zamindari area, who have been rack-rented by the zamindars.

" Sir, considering the first point, that is, that the Government have to implement the election manifesto, I have to point out that every promise made during the time of election cannot be carried out. It was a kind of slogan when the Congress was preparing for a fight for freedom. Now, freedom has been won. Therefore, the slogan must be changed and problems that are in urgent need must receive greater attention of the Government than they did before. Will the abolition of the zamindaris really contribute to the good of the country? Will it help us to increase the production of foodgrains? We are asked to grow more food and the Government are busy with the abolition of the zamindaris. Sir, the effect of this legislation will be to postpone the nation-building schemes, such as irrigation, development of industries and other things, for want of money. Sir, previous Governments were indifferent to undertake any nation-building schemes and thereby they made us depend on foreign countries for our food and cloth. We thought that our popular Government would immediately take up such schemes as will increase the supply of food and cloth and thus bring contentment to the people. But the actions of the Government, such as the introduction of prohibition and the payment of compensation to the zamindars, have depleted their resources and made them unable to undertake any nation-building schemes.

" Sir, one important point to be considered is that the zamindars who are capitalists invested their money and improved their lands and this helped us to grow more food. Therefore, in future also, if they are allowed to exist, they can improve the existing lands and also reclaim new lands and make them fit for cultivation and help us to increase the production of foodgrains which we are badly in need of. It will be difficult and impossible for the small tenants, to whom you are going to give lands, to find the necessary capital for improving the lands and thereby increase the production:

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" Sir, why not grant ryotwari pattas to zamindars themselves for their lands and allow them to cultivate their lands and to maintain their livelihood honourably and comfortably? Are there not several ryots under the present landowners owning hundreds of acres of lands cultivating and leasing them out to tenants under them? When there are so many big tenants, I do not see why the Government should say that the zamindar should not be given any land. Why not allow him to cultivate his own lands and make him one of your ryots as in the ryotwari areas? "

" Then, Sir, the zamindar's proprietary rights had been recognized by the 1802 regulation and also by successive decisions of the law courts and so adequate compensation should be paid to the zamindars who are dispossessed of their property. Sir, the compensation proposed by the Government is inadequate. Government should also pay the compensation before the estates are taken over so that the zamindar can invest the compensation money on some shares or business and try to live in a comfortable manner, instead of paying compensation after a long period thus making it difficult for him to make arrangements for his maintenance. "

" Sir, the zamindars have remained as a sort of well-established institution in the Province for quite a number of years and, therefore, when you want to take away their lands and bring them under State control, you must do it in a manner which would be both just and equitable. The Board of Revenue has been made the final authority to fix up the compensation. Opportunity should be given to those affected to go to the highest court in the land to decide whether the compensation paid is equitable or not. "

" Sir, the other reason, given by the Government for bringing in this legislation, is to improve the economic condition of the tenants in the zamindari areas who have been rack-rented by the zamindars, and to do their best for the tillers of the soil, whose welfare is the Government's concern. The Revenue Minister further said that the dream of the present Government is to give adequate food to everybody by adopting new methods to increase food production. But, Sir, I do not know how the Government can increase food production by the abolition of the zamindaris. So far as the economic condition of the tenant is concerned, much can be done without abolishing the zamindaris. By the Rent Reduction Act itself, the tenants and cultivators of the land are benefited to a great extent. If the Government bring in a comprehensive legislation, the interests of the tenants can be safeguarded by granting them permanent occupancy rights and fixing a fair rent for the lands which they cultivate. The condition of the agricultural labourers can also be improved by fixing a minimum wage. Therefore, Sir, it is not essential that, for improving the condition of the tenants, the zamindaris should be abolished. "

" Lastly, I would suggest that this is not the proper time for the Government to pass this enactment. The Government would

[S. K. Shaik Rowther Sahib Bahadur] [22nd November 1948]

have done well to postpone this legislation for a period of two or three years, because the Government are not in a position to finance the scheme."

SRI M. NARAYANA RAO :—"అధ్యక్షా, ఈ జమీందారీ రద్దు బిల్లు ఏ మాత్రము కాల యావనకాకుండ వెంటనే శాసనము కావలెనని అనుకొనే వాళ్ళలా నేనొకడను కనుక నేను నా ఉపన్యాసాన్ని మీరు నిర్ణయించిన $\frac{1}{2}$ గంట కాలపరిమితి కన్న ముందుగానే ముగించ దలచుకొన్నాను.

"శ్రీ వెంకట్రావుగారు నడివే రథాన్ని ఆ పగలవసుకోడం వట్టి ధ్రువ. ఎవరు ఎంత వ్యతిరేకంగా వాదించినా కాలయాపనా, కంభోజీగారి వేరే ప్రయోజనము ఏమీ ఉండదు. ఈ జమీందారీల విషయమై వెంకట్రావుగారికి అంతా తెలుసును. నేను చెప్పే కొద్ది సంగతులువారికి తెలియవని మాత్రముకాదు. కాని కొంత చెప్పుట మంచిదేమైనా భావించి కొన్ని విషయాలను సూచి తెలియజేస్తాను.

"ఈ నాడు పరిస్థితులు చాలా విషమంగా ఉన్నాయి. జమీందారులు, జమీందారి రైతులు, ఇతర ప్రజలు అందరూకూడా ఎంతో త్వరగా జమీందారీల రద్దు చేయబడ తూరూ అని ఆతురతతో చూస్తున్నారు. ఈ శాసనశాసనము అందరు నిశ్చీ స్తున్నారు. ఈనాడు జమీందారుల పరిస్థితులు చాలా దుర్భరంగా ఉన్నవని మనవి చేస్తున్నాను. ఏ జమీందారిరైతు జమీందారుకు తిస్తున్న చెల్లింపటంలేదు. కాని జమీందారులు ప్రభుత్వానికి వేవకమ్ కట్టడం తప్పదు. అనేక సందర్భాలలో ఈ జమీందారులు వేవకమ్ కట్టులేమని ప్రభుత్వమువారికి తెలియజేసినారు కూడాను. వైగా ఈ జమీందారులు వారి గుఱుస్థాని (establishment)కు జీతాలు ఇచ్చుకోవలసి వస్తోంది. ఈ ఖర్చులు చేయడంవారికి చాలా కష్టంగా ఉన్నది. అనేకమంది జమీందారులు వేవకమ్ ఇచ్చుకొలేని స్థితిలో ఉన్నారని చెప్పడంలో ఏమీ అశ్చర్యము లేదు.

"ప్రస్తుతం రైతు పరిస్థితి కొంత మెరుగుగా నే ఉన్నదని చెప్పాలి. కారణమేమంటే ఆతను ఎవరికీ వస్తు ఇవ్వ నక్కరలేదు. అతడు ఇప్పుడు అటు జమీందారుకుగాని, ఇటు ప్రభుత్వానికి గాని పన్ను ఇవ్వటంలేదు.

"కొన్ని సందర్భాలలో జమీందారుల సేబ్యుండి, స్నేహితులు కొంతమంది పేద అమాయిక రైతులకు ఈ బిల్లు శాసనముకాదు, బీహారుబిల్లు ఇకనూ శాసనముకాలేదు, దీనిని మేము ఎన్నటికి శాసనముకానియ్యము అని చూసగిస్తూ పాత బకాయలను వసూలు చేయడానికి ప్రయత్న చేస్తున్నారు. కొన్ని సందర్భాలలో వీరు బకాయల కోసము రైతులను కోర్టులకు తీసుకువస్తున్నారు. దీనివల్ల ఇటు జమీందారులకు అటు రైతులకు చాలా అనవసరమై ఖర్చు అవుతోంది. కాబట్టి వెంటనే వెంకట్రావుగారు ఈ బకాయాల విషయమై కోర్టులలో వివిధమైన casesలు చేర్చుకోవడదని ఆర్డరు వేయించడం చాలా మంచిది. ఇది రైతుకు చాలా ఉపయోగకరంగా ఉంటుందని మౌలి గారికి నాసలహా ఈ బిల్లు ప్రకారము రైతులు ఒక సంవత్సరం పాత బకాయాలనే ఇవ్వవలసివట్టు ఉన్నది. కాబట్టి ఇంతకువెగా ఏ జమీందారు రైతులవద్దనుండి వసూలుచేయడానికి ప్రయత్నించకూడదని, courtsలు ఇటువంటి casesను వర్షించ కూడదని ఉత్తరవులు చేయడం అన్ని విధాలా ఉత్తమమైనటువంటిదని మనవి చేస్తున్నాను. Reduction Act ప్రకారము రైతుల శిస్తులు చాలావరకు తగ్గింపబడి వాయి. ఆ ప్రకారంగానే వారి దగ్గరనుంచి వస్తులు వసూలుచేసి పాత బకాయాల

22nd November 1948]

[Sri M. Narayana Rao]

నన్నింటిని రద్దు చేయడం చాలా మంచిదని నానాహా. ఈ జమీందారులకు అనేక సంవత్సరాలనుంచి హక్కు ఇస్తుంటున్నారు. కాబట్టి ఈ బకాయాలను రద్దు చేయడం ధర్మము. కాబట్టి వెంటనే ఈ బకాయాలను రద్దు చేయవలసినదని రెవిన్యూ మంత్రిగారిని కోరుచున్నాను.

“జమీందారులకు ఎక్కువ నష్టము కలుగకుండా వారికి న్యాయమైన compensation ఇవ్వడం కార్మిగెస్టి సిద్ధాంతము. ఆ సిద్ధాంత ప్రకారమే ఈ ప్రభుత్వమువారు కూడా జమీందారులకు compensation ఇవ్వవలసివారు. ఇంతవరకు చాడగానే ఉన్నది. కాని జమీందారులకు నష్టపరిహారము వేంటనే ఇవ్వటంలేదు. దీనివల్ల జమీందారులు చాలాభయపడుచున్నారు. ఈ బిల్లు అవరణలో పెట్టేటప్పటికి ఈ ప్రభుత్వము ఉంటుందో ఉండదో ఎవరికి తెలియదు. మరొక ప్రభుత్వమువస్తే ఈ compensation ను వారికి ఇస్తారో లేదో అని వారికి అనుమానముగా ఉన్నది. అందుచేత ఈ బిల్లు శాసనము అనగానే జమీందారులకు ఇవ్వవలసిన నష్టపరిహారములో ధగ భాగమూ, రి వంతులూ వారికి రొక్కరూపంలో ఇవ్వవలసినదని మనవి చేస్తున్నాను. లేనిచో అనేకమంది పేదసంసారులు చాలా ఇబ్బందులుపడవలసివస్తుంది. ఉదాహరణగా, ఇప్పుడు ఒక రూ. 1,000 లు ఆదాయము వస్తున్నటువంటి చిన్న జమీందారుకు రూ. 10,000 ల compensation ఇవ్వవలసినస్త్రీ అతనికి అధముము ఏ 5, 6 వేల ఇచ్చినట్లయితే అతడు మరొకవిధంగా జీవనముచేయటానికి ఆధారముకలుగుతుంది. లేనిచో వారు చాలాబాధపడవలసివస్తుంది. కాబట్టి సాధ్యమైనంత త్వరలో compensation ఇచ్చే విధానము చేయవలసినదిగా రెవిన్యూ మంత్రిగారిని కోరుచున్నాను.

“ఇంకొకవిషయమేమంటే, ఈ జమీందారిలలో చాలాభాగము survey కాబడలేదు. ఈ భూములను survey చేస్తేనేగాని జమీందారులను compensation ఇవ్వలేదు. ఈ పద్ధతి శ్రీ వెంకట్రావుగారు జమీందారిలకు ఒక సంవత్సరంలో survey చేయిస్తామని చెప్పినట్లు విన్నాము. ఇటువంటిమాట వారు ఎలాచెప్పారో అని చాలా ఆశ్చర్యముకలిగింది.”

THE HON. SRI KALA VENKATA RAO :—“అన్నిటిని ఒక సంవత్సరంలో survey చేయిస్తామని చెప్పలేదు.”

SRI M. NARAYANA RAO :—“కొన్నిటిని కుండుగా survey చేసి మరికొన్నిటిని అలశ్యముచేసిస్తే జమీందారులలో చాలా అసంతృప్తి విస్తరిస్తుంది. కొంతమందికి అన్యాయము జరగడంకూడా సంభవము. నా అభిప్రాయములో survey చేయటానికి అధముము 10 సంవత్సరాలు పడుతుంది.”

THE HON. SRI KALA VENKATA RAO :—“ఏమి సంవత్సరాలలో survey చేయించడానికి ప్రభుత్వంవారు విధానముచేస్తున్నారు.”

SRI M. NARAYANA RAO :—“రెవిన్యూ మంత్రిగారు 5 సంవత్సరాలలో survey చేయిస్తామంటున్నారు. రెవిన్యూ జోర్జువారు 8 సంవత్సరాలు పడుతుందని చెప్పినట్లు విన్నాము. కాని ప్రజలు 10 సంవత్సరాలు పడుతుందని అనుకొంటున్నారు. కనుక ఈ భూములను survey చేయటానికి మనకు ఇప్పుడు కావలసినంతమంది surveyor లు లేరని అనుకొంటున్నాను. Surveyor లను ఇకముందు train చేయించవలసిన పరిస్థితులలో మనమున్నాము.”

1845 M. Watson & Co.

SRI M. NARAYANA RAO:—“కావలసినంతమంది surveyor లను

“பெரிய நாயகர் வருவதற்கு compensation கொடுக்கப் பட்டது”

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“ இனம் என்பதற்கு பதிகாத ஒரு அர்த்தமும் கிடையாது. ஒரே ஒரு

“இனம் என்பதற்கு புதிதாக ஒரு அர்த்தமும் கிடையாது. ஒரே ஒரு அர்த்தம்தான் உண்டு. இரண்டு அர்த்தம் கிடையாது. இனம் என்பது பழய காலத்தில் சும்மா இனமாக நிலத்தைக்கொடுக்கப்பட்டது. ஒருவன் இன்னொருவனுக்கு இனமாகக் கொடுப்பது என்று பழய காலத்திலிருந்து வந்தது. ஆனால் அப்படி இனம் வாங்கினவர்கள் கையில் இன்று ஒரு அங்குல நிலம்கூட கிடையாது. அவைகளையெல்லாம் இப்பொழுது விற்று விட்டு பணமாக்கிவிட்டார்கள். என்னென்றால் இப்பொழுது பழயவிதமாக இனங்கள் கொடுப்பது கிடையாது. ஆகையால் பழய இனம் நிலங்களை விற்றுவிட்டதால் இப்பொழுது ஒரு அங்குல நிலம்கூட அவர்கள் கையில் கிடையாது. பழய காலத்தில் இராமனதுபுரம் தஞ்சாவூர் மகாராஜாக்களால் கொடுத்த இனங்களில் சத்திரங்கத்தான் உருப்படியாக இருக்கிறது. மற்ற இனங்களெல்லாம் அடியோடு போய்விட்டது. இனங்களில் 1936-ம் வருஷத்திற்கு முந்தி பிந்தி என்று வித்யாசம் கிடையாது. அப்படி வித்யாசம் இருப்பதாக அப்பிராயப்படுவதாகத் தெரிகிறது. ஹை கமாண்டில் ஜமீன் எஸ்டேட்டுகளை ஒழிக்கவேண்டுமென்று சொல்லும்போது இந்த இனங்களையும் ஒழிக்கவேண்டுமென்று சொல்லவே இல்லை. இன்னும் மீ பிரகாசம் கமிட்டியால் தயாரிக்கப்பட்ட புத்தகத்தில்கூட அதைப் சேர்க்கவில்லை. பிற்பாடு அது எப்படி புகுந்தது என்பது தெரியவில்லை. ஆனால் புகுந்துகொண்டு வெளியே போகமாட்டேன் என்கிறது. பெரிய மனிதர்களால் இனம் கொடுக்கப்பட்டதை அரசாங்கம் திருப்பிக் கொடு என்று சொல்வது மிகவும் பாவம். ஆத்திரக்காணாக்கு புத்திமட்டு, அவ சரக்கோலம் அள்ளித்தெளிப்பது என்பதுபோல் இல்லாமல் இனம் நிலங்களை பணம் கொடுத்துதான் விலைக்கு வாங்கவேண்டும். எவ்வித தகராறும் ஏற்படாமல் அப்படி விலைக்கு வாங்கவேண்டும். இப்பொழுது 1936-ம்

22nd November 1948]

[Sri S. A. S. Rm. Ramanathan Chettiyar]

வருஷ இனாம்களை விலக்கிவிட்டு பிறகு அதற்கும் சட்டம் கொண்டுவரப் போவதாக சொல்லப்படுகிறது. ஒரு சொத்தை வாங்கவேண்டுமென்றால் அதை பணம் கொடுத்துதான் வாங்கவேண்டும் அதுதான் elementary principle-ம் பணத்தைக்கொடுத்துவிட்டுதான் நாம் சொத்தை வாங்க வேண்டும். இது எல்லோருக்கும் தெரிந்த விஷயம்தான். எவ்வளவு ரூபாய் எப்பொழுதோ, எப்படியோ முந்தியோ பிந்தியோ பிராமசரி நோட்டாகவோ கொடுப்பது என்பதை சற்று யோசித்துப் பார்த்துச் செய்ய வேண்டும். கையில் பணத்தை வைத்துக்கொண்டுதான் நீங்கள் சொத்தினிடம் போகவேண்டும் அப்படி பணம் இல்லாமல் சட்டத்தை மட்டும் “பாஸ் பண்ணிவைத்துக் கொண்டிருப்பது என்பது சரியல்ல” இதைப்பற்றி நமது தஞ்சை leader of the bar கனம் ஸ்ரீ நடராஜன் வெகு நன்றாக எடுத்துச் சொல்லிவிட்டார்.

“எனக்கு இனாம் நிலம் கிடையாது. நல்ல நிலங்களுக்கு சொந்தக்காரர்களாக எனது தொகுதியிலிருக்கிறார்கள். ஆகையால் இனாம்களை விலக்க வேண்டியது ரொம்பவும் அவசியமாக இருக்கிறது.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR.—“ஒருவர் போக வேண்டுமென்று சொல்லும்போது ஏன் இரண்டுபேர்களும் போகக்கூடாது?”

* SRI S. A. S. Rm. RAMANATHAN CHETTIYAR.—“இரண்டிற்கும் ஒரே அர்த்தம்தான். இனாம்களுக்கு இரண்டு அர்த்தம் கொடுப்பது என்பது சரியல்ல. ஒருவருக்கும் ஹிம்சை இல்லாமல் இதை செய்யவேண்டும். 1936-ம் வருஷத்திற்கு முந்தி பிந்தி என்று பிரிப்பது என்பது சரியல்ல. இப்பொழுது எனது தொகுதியில் பார்த்தால் கும்பகோணத்தில் சுமார் 36 வேலி இனாம் நிலம் இருக்கிறது. அதனால் எவ்வளவோ பெரியவர்களுக்கு சாதகமாக இருக்கிறது. அதிலிருந்து ஒருவர் ரூ. 5,000 வரையிலும் மேல்வாரம் அடைந்துவருகிறார்கள். அதில் தண்ணீர் தீர்வைக்காக ரூ. 1,000 போக மீதம் ரூ. 4,000 வருகிறது. இவ்விதம் அவர்களுக்கும் உழுகிறவனுக்கும் ரூபாய் 5,000 வருகிறது. இதைப்போல் அநேகம் பட்டா தாரர்கள் இருக்கிறார்கள் அவர்களுக்கு சுமார் 7,600 கலம் நெல் வருகிறது. நல்ல நீர் பாசனத்தில் நிலம் இருக்கிறது. காவேரிக் கரையில் அவைகள் பொன் விளையும் நிலங்கள். முதல் தரமானவைகள் சுமார் 200 கலம் மீதம் 7,800 கலம் வரையில் வரும் குடித்தனக்காரர்கள் அங்கே இருக்கிறார்கள் அதிலிருந்து அவர்களுக்கு ரூ. 28,000 வருகிறது. உழுகிறவனுக்கு ரூ. 5,000 மும், ஜமீந்தார்களுக்கும் ரூ. 5,000 மும் கிடைக்கிறது. இவைகளெல்லாம் தண்ணீர் தீர்வைகள் முதலிய சிலவுகள் செய்தபின் நடுவிலிருக்கும் பட்டாதாருக்கு ரூபாய் 18,000 கிடைக்கிறது. அந்த மாதிரியான பெரிய மனிதர்கள் பட்டாதார்களாக இருக்கிறார்கள். அவர்களில் ஒருவர் நம்முடைய சங்கராச்சாரியார். அவர்களையெல்லாம் என்ன செய்கிறது? அவர்கள் பேரால் பட்டா ஏற்பட்டிருக்கிறது. நாம் சாதகம் பண்ணவேண்டுமென்றால் உழுகிறவனுக்கு செய்கிறது அவர்களுக்கு செய்கிறதா? இவ்விதமாக நம் நாட்டில் எவ்வளவு பேர்கள் சாப்பிட்டுக்கொண்டிருக்கிறார்கள். ஆகையால் இனாம் நிலங்களை சேர்க்கவே கூடாது என்று தயவு செய்து கேட்டுக்கொள்ளுகிறேன். அவர் (கனம் மந்திரியவர்களைக் குறித்து) மனம் வைத்தால் இதை எடுத்துவிடலாம். எங்களுடைய Powersஐ எல்லாம் அவரிடம் கொடுத்து விடுகிறோம்.

“நஷ்ட ஈடு கொடுப்பதாகச் சொல்லுகிறார்கள். விலையை நாம் கொடுக்கும்போது சொத்தின் பொருமானத்தைப் பார்த்துக் கொடுக்கவேண்டும். கொடுப்பதையும் காலா காலத்தில் கொடுக்கவேண்டும் “காலத்தினால் நன்றி—ஞாலத்தின் மாணப்பெரித” என்று குறளில் சொல்லியிருக்கிறது. ஜமீந்தார்களில் நல்லவர்களும் இருக்கிறார்கள் கெட்டவர்களும் இருக்கிறார்கள். இராமமதபுரம் ஜமீந்தார் தஞ்சை ராஜாக்கள் எவ்வளவோ கோவில்களும், பள்ளிக்கூடங்களும், சத்திரங்களும் கட்டிவைத்திருக்கிறார்கள். இன்னும் தமிழ் வளர்ச்சிக்காக டிப்சம் லட்சமாக செலவு செய்திருக்கிறார். ஆகையால் எல்லோரையும் ஒரே மாதிரியாகக் கருதுகூடாது. ஆகையால் எல்லோருக்கும் ஒரே மாதிரியாகச் செய்தால் அது ரொம்பவும் பாபம். நான் என்ன சொன்னாலும் இங்கே இந்த

[22nd November 1948]

[Sri S. A. S. Rm. Ramanathan Chettiyar]

'பில்' பாசாகிவிடும். கீழ் சபையில் பாசானது போலவே இங்கேயும் பாஸ் ஆகிவிடும். நான் சொல்வதெல்லாம் கொடுக்கும் விலையை காலா காலத்தில் கொடுக்கவேண்டுமென்பதுதான். சட்டம் செய்து ரூ. 12 கோடி கொடுக்கும்போது பணத்தை கையில் வைத்துக்கொண்டு சட்டம் போட வேண்டும். கவர்ன்மென்டுக்கு சக்தி இல்லாத பொழுது இதைக்கொண்டு வரக்கூடாது. பணம் கிடைக்கும் வரையில் இதை நிறுத்திவைக்கலாம். வாரம் வரப்போவது இல்லை. இப்பொழுது அநேகம் கேஸ்கள் கோர்ட்டில் Pending-ல் இருக்கின்றன. கேஸ்களை Pending-ல் வைக்காமல் இப்பொழுது அவைகளை தீர்க்கும்படி செய்யவேண்டும். இந்த 'பில்' பாஸ் செய்து தூங்கிக்கொண்டிருக்கும் கேஸ்களை முடிக்கும்படி செய்யவேண்டும். எவ்வளவோ ஜனங்கள் தங்களுக்கு ரூ. 10,000 வரையில் வரும்படி வரும் என்று எதிர்பார்த்துக் கொண்டிருக்கிறார்கள். அவர்களுக்கெல்லாம் சொளகர்யம் செய்யவேண்டிய தவசியமாக இருக்கிறது. ஆகையால் இந்த மாதிரி அநேகம் கேஸ்கள், தூங்கிக்கொண்டிருப்பதால் அநேகம் மேல்வார்டார்களுக்கு கஷ்டமாக இருக்கிறது. அவர்களுக்குத் தகுந்தபடி நஷ்ட ஈடு கொடுக்கவேண்டும். இப்பொழுது ட்ராம் வண்டிகளை எடுத்துக்கொண்டார்கள். அதை வெள்ளைக்காரனிடமிருந்து எடுத்துக்கொண்டதால் அவர்களுக்கு இரண்டுமடங்கு விலை வைத்துக் கொடுக்கிறதா இந்தியர்களுக்கு ஏன் அப்படிக்கொடுக்கக்கூடாது. ட்ராம் வண்டிகள் ரொம்பவும் பழசு இஞ்சின்கள் தெய்ந்துபோனவைகள். 50 வருஷம் ஓடின வண்டிகளுக்கு இரண்டுமடங்கு விலை வைத்துக்கொடுப்பதா? நியாயமாகப் பார்த்ததால் போட்டமுதலுக்கு பாதி கொடுக்கவேண்டியிருக்க இரண்டு மடங்கு கொடுப்பது என்று ஒரு பெரிய cheque எழுதித் கொடுத்திருப்பது சரியல்ல, ஆகையால் இப்பொழுது நிலங்களுக்கு நீங்கள் கொடுப்பது நியாய விலையா? இன்னும் கீழ் சபையில் அடியோடு கொடுக்கவே கூடாது என்று சொன்னார்கள். ஆகையால் விலை வைத்து கொடுப்பதை ஒரு ரூபாய் கொடுத்தாலும் சரி இரண்டு அணு கொடுத்தாலும் சரி காலா காலத்தில் பணமாக கொடுத்துவிடவேண்டும். இப்பொழுது நிலத்தை எடுத்துக்கொண்டு பின்னாடி பணம் கொடுக்கிறோம் என்று "பாண்டு" எழுதி கொடுப்பது என்பது சரியல்ல. ரூ. 12 கோடியை கையில் வைத்துக் கொண்டு நிலங்களை எடுத்துக்கொள்ளவேண்டும். ஏதாவது வில்லங்கம் இருந்தால் அவைகளுக்கு கொடுக்கும் பணத்தை கோர்ட்டில் கட்டிவிடலாம். வில்லங்கம் இல்லாத நிலங்களுக்கு உடனே கையில் பணத்தைக் கொடுத்து விட்டு நிலத்தை எடுத்துக்கொள்ளவேண்டும் என்று தயவுசெய்து கேட்டுக் கொள்ளுகிறேன்.

"கனம் மந்திரியவர்களுக்குச் சொல்லுகிறேன். இனம் நிலங்கள் பூராவையும் விலக்கிவிடவேண்டும். ஜமீனுக்கு உடனே பணம் கொடுக்கமுடிந்ததால் சட்டம் கொண்டுவரவேண்டும் இல்லாவிட்பால் பணம் readyயானதும் சட்டம் செய்ய யோசிக்கலாம்."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Mr. President, Sir, originally I had no intention at all to intervene in this debate. But when I find member after member from the opposite benches speaking against this Bill, I think it is necessary that I should also speak a few words. (The Hon. Sri K. Madhava Menon; it has become a contagion, perhaps.) It is not a contagion, Sir, I consider it my duty, to speak on this Bill. Whether the Bill is going to be passed or not is quite a different question. But we do know that this House is not going to be allowed to alter a single comma or a colon in the Bill, as it has been presented before us. However, we on this side of the House also have to discharge our duties; though the brains, hearts and tongues of members opposite are with us now, still when it comes to a question of lifting their hands during voting time, the hand will be 'that of Easu, and not that of Jacob'.

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"Sir, I expected that the Hon. Revenue Minister when he introduced the Bill before us, would explain the necessity for the measure, and give some reasons for having brought forward such a far-reaching legislation. I am sorry to say, Sir, that he did not say a word about it at all. I do admit, that he explained the changes that were made in the original Bill by the Select Committee, and by the Legislative Assembly, but he did not go to the root of the matter, i.e., to explain the necessity for this Bill. I am also quite conscious that a resolution regarding this matter was passed by this House. But that does not in any way absolve him of the duty of explaining why the Bill has been brought forward."

THE HON. SRI KALA VENKATA RAO :—" Sir, when I moved earlier that the original Bill might be referred to a Select Committee, I explained the reason for introducing the Bill, as is the usual convention to explain the objects and reasons of the Bill at the time of introduction of the Bill. I am sure I did so in this House. Perhaps my hon. Friend has forgotten it."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Probably I was not here at that time. I was at Delhi perhaps."

" I may say, Sir, that I am not at all convinced that there is any necessity for this Bill. The history of these zamindars has been very often dilated upon, and the Hon. Revenue Minister when he introduced the Bill here as passed by the Assembly, referred to zamindars as commission agents. I want to know whether all the zamindars are commission agents, and tax-collectors or descendants of tax-collectors. History will show that not all these zamindars were tax-collectors or descendants of tax-collectors. There are zamindars who are really descendants of ruling princes, sovereigns and chieftains. There is also another kind of zamindars. At the time when the East India Company introduced the Permanent Settlement the company parcelled out the lands in their possession into mittas; zamins and estates, and sold them to the highest bidders in auction; the persons who purchased the estates thus from the East India Company cannot by any stretch of imagination be called tax-collectors at all. But yet by one stroke of the pen, all of them have been clubbed together, and have been asked to get out. Then there is also the case of persons who have purchased these zamindaris for valuable consideration, with their hard-earned money, from these tax-collectors or descendants of ruling princes or chieftains. Really they have been induced to do so, by the treatment according to these zamindars by successive Governments which have recognized that the zamindars of every class are owners of the soil. Thus they have been, to the knowledge, and with the consent of the Government of the day, ostensible owners of the estates. Thus in a way the Government themselves are responsible for the sales and purchases of these estates on the basis that the zamindars are the owners thereof. Therefore it is not proper to dispossess them now by making the simple statement that they have been commission agents, or tax-collectors, and that their services can be dispensed with, at any moment at the

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discretion of the principal, i.e., the Government. I would only submit that if at all Government want to take possession of the zamindari estates, they must pay the owners a fair and equitable compensation. And this compensation should not be fixed in any arbitrary manner as it is proposed in this Bill. The market value has to be paid. Of course, I do understand the difficulties of Government; it cannot afford to pay the huge sums that would be involved if these estates have to be valued at the prevailing market prices. In such a case, they ought not to have ventured upon such a legislation as this, but should have deferred it, until they have the money for the purpose.

“ So far as these zamindars are concerned, they are in a hopeless minority in the province and there is no representative of theirs in this House. Simply because they are in such a minority, they should not be treated in the manner in which the majority party pleases to treat them. The minorities should be treated in the proper manner, and justice should be meted out to them, and they must be made to feel that the Government are doing them justice. The Government should not deal with these zamindars in this manner, simply because they have got a majority in this House. (Interruption.) It is very necessary that they should be treated in a just and fair manner. As they are in a minority, the duty devolves all the more on Government to vouchsafe justice to them. As was pointed out by the ex-Governor of Madras, such action as this on the part of the majority is likely to react on them like a boomerang.

“ Then, Sir, question after question was put by my hon. Friend Mr. Bhima Rao, asking for certain statistics about the extent of land involved in this Bill, the amount of compensation, etc. To none of these, could we get any concrete reply from the Hon. Revenue Minister, who stated that these estates have yet to be surveyed, and therefore exact figures could not be given. So this legislation seems like putting the cart before the horse. We do not know where we are and what our commitments are going to be. Only if we are in the know of these things, we could launch upon a measure of this nature. But the position now is, without knowing the implications of the Bill fully, we are embarking on an adventurous scheme. For instance, when a question was put to the Hon. Revenue Minister as to the total extent of the inams which will come within the purview of this legislation, we only got the reply that it cannot be said. The same is the case as regards the amount of compensation payable to these charitable, religious and educational institutions. We do not know where we are, but yet, we are simply launching on this adventure, without knowing the full details of the same.

“ One important reason that was given for the proposed enactment was that it was included in the election manifesto of the Congress. Some of the dates occurring in the Bill have also been fixed with reference to that manifesto. And the entire populace

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of this Province is expected to know what the election manifesto promised some time ago. The argument that is advanced is that these people know what the Congress was going to do, and that is why this Bill has been brought forward. I wonder, whether any appreciable portion of the population of this Province ever knew anything about the contents of the election manifesto. During the last elections people went to the polls not on the basis of the election manifesto but on the one single issue of the freedom of the country. I have gone throughout the Province in these days and have been to the remotest corners of the country, but no voter put to me a single question about the election manifesto, but the one thing which agitated the minds of the people then was the freedom of the country. (An hon. Member: "Pakistan.") The Pakistan issue need not come in here. No enlightened Hindu put to me a question about the election manifesto."

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THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" But the election manifesto of the Congress was there before the people."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" It was a sealed book to the generality of the voters. What percentage of the voters voted on the basis of the election manifesto? I know of instances where voters said that they were voting for Mahatma Gandhi. They did not even know the name of the candidate and in some cases they had to go back without recording their votes as they wanted to vote only for Mahatma Gandhi and the polling officers concerned told them that there was no such candidate."

THE HON. SRI KALA VENKATA RAO :—" The hon. Member was returned by voters who all knew his name, knew the programme of the party and the election manifesto of the Party. Is that so? "

(An hon. Member: They all voted for Jinnah Saheb.)

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I only ask what percentage of the voters actually knew that they were voting for the things mentioned in the election manifesto of the Congress when the main objective was the freedom of the country. If the Government want to bring forward measures like this which are of far-reaching importance, they should place them before the electorate as specific issues in a general election.

" Sir, so far as the details of the Bill are concerned, I have not much to say as other hon. Members have covered the ground already. With regard to inams, whatever may be done with regard to personal inams, I want to say a word about the inams granted to religious and charitable institutions. These endowments were given by the sovereigns to the zamindars for their spiritual benefit. When once a particular piece of land is endowed to a religious or charitable institution, the ownership of the donor is extinguished and it vests in God. Under Muhammadan Law such wakfs cannot be revoked. To cancel such religious and charitable endowments is an act of great sacrilege and doing wrong to the memory of the

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great benefactors who endowed these inams for their own spiritual benefit and for the spiritual benefit of their descendants. No doubt, the Government have taken the responsibility for giving a certain portion of the income for the purpose of these institutions, but I do not think it is in conformity with the intentions of the original donors.

“ Then, Sir, when one goes through the provisions of the Bill one is struck with this astounding provision, namely, whenever there is a dispute between the Government and the citizen, the decision of the Government or that of the subordinate authorities of the Government is said to be final. The Government in such cases desire to be both a judge and a prosecutor. In clause 39 (7) it is said that no order passed by the Board of Revenue under subsection (5) or (6) shall be liable to be cancelled or modified by the Government or any other authority or be questioned in any Court of Law. Even the Government are prepared to abdicate in favour of the Board of Revenue. But in the case of disputes among the citizens themselves as in the case of distribution of compensation provision is made for tribunals, appeal to the Special Tribunals consisting of High Court Judges and second appeals to the *persona designata*. I cannot understand the discrimination here. On the other hand, if justice is to be done, such provisions for judicial determination must be made more for the determination of disputes between the Government and the citizens than for cases between citizens themselves. But the position is reversed here. I do not see why the Government should fight shy of courts and judicial tribunals in matters which are in dispute between themselves and the citizens.

“ Sir, we find that in certain clauses the lands purchased by the landholders in auction sales have been excluded and the landholders will not have any right over those lands. I do not see why it should be so unless the Government feel that all auction sales under the Estates Land Act, are collusive or *mala fide*. These sales have been held by Revenue Divisional Officers, and such officers of the cadre of the same Revenue Divisional Officers are now going to be appointed to tribunals to be formed under the Act and invested with such arbitrary powers. How can we say that the sales conducted by this same class of officers have been collusive or *mala fide* in effect? It is said that for the lands purchased in auction sales ryotwari pattas will not be issued to the landholders. Then to whom will the pattas be issued? There is a gap here. Nothing is mentioned here about the persons to whom pattas will be issued for these lands. As Mr. Ranga Reddi pointed out the other day there will be many false claims and endless litigation. He was trying to answer the point raised by hon. Dr. Lakshmanaswami Mudaliyar, but the reasons he gave on the other hand confirmed the shrewd suspicions of the doctor. On account of the confusion in the grant of ryotwari pattas, many lands may lie fallow especially at a critical time like this when

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we want to push the Grow More Food campaign. I think, Sir, until the matter is settled, somebody must be asked to cultivate the land.

"Then Sir, with regard to the procedure to be adopted by the Tribunal and the Director of Settlements, everything is left vague. Only in clause 8 (4) there is the following provision:—

'(4) Every Tribunal shall have all the powers of a civil court to compel the attendance of witnesses and the production of documents.'

Is the procedure to be a summary procedure? These are cases where properties owned by persons for generations have to be dealt with. Should there not be proper procedure so that the people may at least have confidence that they are dealt with according to law and in a judicial manner? Why not we say that the Civil Procedure Code will apply in regard to all proceedings before Settlement Officers, Director of Settlements, Tribunals and Special Tribunals.

"Again, Sir, in clause 18 (6) it is stated—

'(6) If any question arises whether any building or land falls or does not fall within the scope of sub-sections (1) (2), (3), (4) or (5), it shall be referred to the Government whose decision shall be final, and not be liable to be questioned in any Court of Law.'

In whose mind should such a question arise and who should refer such questions to the Government? Perhaps, as the Hon. the Revenue Minister said to me in private just now all these things will be clarified in the rules. Probably some Revenue Inspector who will be asked to take over the estate will have to do all these things.

"Then, Sir, I want to say one word about the Revenue Board. From the beginning the Congress has been passing resolution after resolution and crying hoarse for the abolition of the Revenue Board. But now the Revenue Board is made omnipotent. We know how matters are being dealt with by the Revenue Board. We know, Sir, that orders passed by Collectors after personal inspection have been reversed by the Revenue Board, because some clerk put up a note to that effect. Here it is stated that there is no appeal even to the Government against the orders of the Revenue Board. What is going to happen to the poor zamindars. Heaven alone knows."

At this stage the House adjourned for lunch.

(After lunch—2-30 p.m.)

SRI L. SUBBARAMA REDDI:—“ఉపాధ్యక్షా, గౌరవనీయులగు శ్రీ కళా వెంకట్రావుగారు తెచ్చిన బిల్లును నేను బహుశస్తున్నాను. ఈ బిల్లు ఇంతకుముందు ఎప్పుడో శాసనముగా రూపొందినది కాని అంతరాయముల వల్ల కొంత ఆలస్యమైనది. శ్రీ వెంకట్రావుగారు ఈ విషయములూ చాలా శ్రద్ధవహించి పట్టుదతో ఈ బిల్లును

[Sri L. Subbarama Reddi]

[22nd November 1948]

ఈ స్థితికి లీసుకొనివచ్చినందులకు వారిని నేను అభినందించుచున్నాను. ఈ బిల్లు రాకుండా ఉంటే, జమీందారులలోని రైతులు పడే బాధలు చెప్పవలసిగానంతవీగి ఉంటుంది. ప్రక్కన ఉండి రైత్వారి గ్రామంలో ఉండి రైతులను జమీందారి గ్రామాలలో ఉండి రైతులను చూచి పట్టయితే, జమీందారి రైతులు హెచ్చు శిస్తులను ఇవ్వలేక ఎంత బాధపడుతున్నారో బాధపడుతుంది. దేవుని మధ్య భక్తుని మధ్య పూజారి ఎంత ఆర్థమైనా గవర్నమెంటు మధ్య రైతుల మధ్య మధ్యవర్తులగు జమీందారులు, ఇనాందారులు అభివృద్ధికి అంత అటంకము, అనేక సంవత్సరాలనుంచి జమీందారులు ప్రభుత్వము మధ్య, రైతుల మధ్య మధ్యవర్తులుగా ఉండి హెచ్చు శిస్తులు వసూలు చేస్తూ జమీందారి రైతు అభివృద్ధికి అటంకముగావున్నారు. కాబట్టి వారి పరిస్థితి విమోచము తప్పిరముగా లేదు. జమీందారి రైతులు బాగుపడాలంటే అభివృద్ధి చెందాలంటే ఈ జమీందారిలను రద్దు చేయడం, జమీందారులనే మధ్యవర్తులను తొలగించడం ఎంతో మంచిది.

“మా నెల్లూరు జిల్లాలో 3 వ వంతు వెంటటగిరి జమీందారిలో ఉన్నది. అందు లోని చెరువులుగాని, కాలువలుగాని, దొరువులుగాని మరమ్మతులు లేక చాలా పాడై పోయియున్నవి. రైతులకు వ్యవసాయం చేసుకోవడమే చాలా కష్టమైపోతోంది. పంటపండ్లక రైతులు చాలా బాధలుపడుతున్నారు. ఈ విధంగా చెరువులు, కాలువలు, దొరువులు మరమ్మతులు చేయించక రైతులకు నష్టము, కష్టము కలిగించుట మాత్రమే కాక అధిక ఆపహరత్వస్థితికి కూడా వీరు అటంకము కలిగించినారు. కాబట్టి ఈ జమీందారి రద్దు బిల్లువల్ల రైతులకష్టములు తొలుగుటే కాక అధిక ఆహారోపస్థితికూడా ఎక్కువ అవకాశముంటుందని మనవి చేస్తున్నాను. మా నెల్లూరు జిల్లాలో జమీందారులు రైతుల వద్దనుంచి రైత్వారి రేట్లకన్న చాలాకాలమునుంచి హెచ్చు శిస్తులు వసూలు చేస్తున్నారు. అనేక చోట్ల ఎకరానికి రూ 20 ల రూ 30 లు వరకు కూడా శిస్తు వసూలు చేస్తున్నారు. ఇంత హెచ్చు శిస్తులు వసూలు చేస్తున్నా కూడా జలాసరా లకు వివిధ గ్రామ మరమ్మతులు చేయించటంలేదు. రైతు వ్యవసాయం సాగించుకోలేక చాలా హింసలలో ఉన్నాడు. ఇటువంటి క్లిష్ట పరిస్థితులలో రైతును బాగుపరచడానికి ఈ బిల్లును లీసుకొనివచ్చినందులకు రెవెన్యూ మంత్రిగారిని అభినందించవలసియున్నది.

“ఈ బిల్లును విమర్శించుచు కొంతమంది గౌరవ సభ్యులు ఈ బిల్లువల్ల మధ్య వర్తులకే లాభము జరుగుతోంది కాని నిజమైన రైతుకు లాభము లేదని చెప్పి ఉన్నారు. ఇది ఎంతమాత్రము సక్రమముగా లేదు. ఈ బిల్లువల్ల యదార్థముగా హెచ్చుమంది జమీందారి రైతులు బాగుపడుతున్నారు. జమీందారి గ్రామాలలో నూటికి రూదాపు 60, 70 మంది స్వంత నేద్యము చేసుకొనేటటువంటివారు ఉన్నారు. గ్రామాలలో తమ భూములను ఇతరులకు మక్తాకు ఇచ్చినవారు ఏ 10, 20 మంది మాత్రమే ఉంటారు కాని ఎక్కువమంది ఉండరు. అందువల్ల ఈ బిల్లువల్ల చాలా హెచ్చుమంది నిజమైన జమీందారి రైతులకే లాభము జరుగుతుంది.

“ఈనాం గ్రామములలోని రైతుల పరిస్థితులు కూడా చాలా దుర్భరముగా ఉన్నవి. వారు కూడా హెచ్చు శిస్తులు ఇచ్చుకోవలేక చాలా బాధలుపడుతున్నారు కాబట్టి సాధ్యమైనంత త్వరలో ఈనాం రైతులను గూర్చి కూడా శ్రద్ధవహించవలసినదిగా మంత్రి గారిని కోరుచున్నాను.

“ఈనాము గ్రామములు మొదట ఇచ్చేటప్పుడు రెండు వరములు జమీందారుకు ఇచ్చి ఉండరు. సహజంగా ఒక వరము (శిస్తు వసూలు చేసుకొనే హక్కు) మాత్రమే ఈనాందారులకు ఇచ్చి ఉంటారు. రెండవ వరము ఎప్పుడు రైతులదే అయి ఉంటుంది. ఈ భూములనే రైతులు నేద్యము చేసి అనుభవించే హక్కు ఉంటుంది.

22nd November 1948]

[Sri L. Subbarama Reddi]

అంతే కాని చిన్న ఖండికలు గ్రామముగాని యినాములు మాత్రము రెండువారములు అనుభవమునకు హక్కు ఉండునుగాని చిన్న ఖండికలు గ్రామములుగాని ఈనాందారులకు రెండు వారములు ఉన్నవనడానికి ఏలండదు.

“ Compensation విషయంలో కూడా ప్రభుత్వమువారు ఈనాందారులకు, జమీందారులకు చాలా సమంజసంగా ఇచ్చి ఉన్నారు. ఇది వారికి చాలా అనుకూలంగా ఉన్నది. అందువల్ల గవర్నమెంటువారు ఇవ్వదలచిన compensation ను గ.రించి ఏమాత్రము ఆలోచించవలసిన పనిలేదు.

“ఇంకొక విషయమేమిటంటే ఈ compensation రైత్వారి రైతులు కట్టిన పన్ను లలోనుంచి ఇవ్వవలసి వస్తోంది, ఇది గవర్నమెంటుకు దండగ వస్తుంది, కాబట్టి ఈ డబ్బు జమీందారి రైతులవద్దనుంచి వసూలు చేయవలసినదని కొందరు గౌరవ సభ్యులు చూచించినారు, ఇది ఎంతమాత్రము సజబుగాదు. ఇప్పుడు జమీందారులు ప్రభుత్వము వారికి 47 లక్షల రూపాయలు పేషిక్డ్ కడుతున్నారు. జమీందారిలను రద్దుచేసి రైత్వారి పద్ధతి అమలు జరిపినట్లైతే ముమారు ఒక కోటికంటే మేగా రూపాయల ఆదాయము వస్తుంది. అంటే గవర్నమెంటుకు పరిపాలనా అన్ని ఖర్చులుపోను, ఒక కోటి రూపాయల అదనపు ఆదాయము వస్తుంది. గవర్నమెంటువారు ఖర్చు పెట్టదలచిన, 12 కోట్ల, 17 కోట్ల రూపాయలకు ఇది చాలామంచి ఆదాయము. ఈ డబ్బు ప్రభుత్వమువారు ఋణముమీద తీసుకొనివచ్చినా దానిని 15, 20 సంవత్సరములలో తీర్చివేయగలరు. తరువాత గవర్నమెంటువారికి సంవత్సరానికి ఒక కోటి రూపాయలు నికరాదాయము వచ్చును. అందువల్ల ఈ జమీందారి రద్దువల్ల గవర్నమెంటుకు ఎప్పుడూ లాభమేకాని నష్టము ఏమాత్రము రాదని మనవి చేస్తున్నాను. కాబట్టి ఈ జమీందారి పద్ధతిని వెంటనే రద్దుచేసి ఈ పేద రైతులను అభివృద్ధి పరచడానికి పట్టుదలతో పనిచేయుచున్న రెవిన్యూ మంత్రి శ్రీ వెంకట్రావు గారిని అభినందిస్తూ ఈ బిల్లును నేను support చేస్తున్నాను.”

* SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ Mr. Deputy President, Sir, one reason for the Government introducing this Bill is that the zamindar has been rackrenting the tenants and does not attend to repairs of the tanks and other irrigation works. Of course, they do not attend to such things as they ought to do. But for such an act, should you cut away the head? Are the Government attending to irrigation schemes and other works in the proper manner in spite of their having enormous official staff? They are not. So, what is to be done, and who is to do it? Sir, abolition of zamindaris will only add to the financial burden of the Government. This step which has been postponed for years is now to come to pass at all costs, irrespective of consequences. Let not the zamindars go without the legitimate amount due to them being given to them, and let not the abolition be postponed. It is quite clear that expert advice from above and the opinion of the financial experts are not going to be heeded. The fate of the zamindars should be assured, and that of the inamdars also. It would have been wiser on the part of the Government if they had tried to remedy the defects instead of aggravating the financial deficit. Thank you, Sir.”

[22nd November 1948]

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p.m.

SRI T. PURUSHOTHAM :—“ఉపాధ్యక్షా, సోదరసభ్యులారా, ఈ జమీం

దారి రద్దు బిల్లును ప్రభుత్వ పక్ష సభ్యులమైన మేము ఏ సంకల్పముతో, ఏ ఆశలతో విమర్శించుచున్నామో సరిగా అర్థముచేసుకొనక ప్రతిపక్షమువారు ప్రభుత్వపక్ష సభ్యులే దీనిని బలపరచుట లేదని మమ్ములను విమర్శిస్తున్నారు. ప్రభుత్వపక్ష సభ్యులమగు మేము ఈ బిల్లులోని కొన్ని లోటుపాట్లకు సవరించే నిమిత్తమే విమర్శలు చేస్తున్నామని, ప్రతిపక్ష సభ్యులవలె ఈ బిల్లును పూర్తిగా తోసివేయవలెనని జమీందారీలు రద్దుకాకుండా ఉండాలనిమాత్రము కాదనివాడు గ్రహించగోర్రాను. ప్రభుత్వపక్షములో ఉన్న కాంగ్రెస్ సభ్యులమైన మేము ఒక క్రమ శిక్షణకు ఆలవాటు పడినవారము. ఒక నాయకశక్తియొక్క ఉండే గత 25 సంవత్సరములనుంచి క్రమ శిక్షణలో 150 సంవత్సరములనుంచి ఈ దేశమును పాలించుచున్న బ్రిటిష్ ప్రభుత్వాన్ని ఎదిరించి వారిని ఇబ్బందించుచి పంపించగలిగినటువంటి కాంగ్రెస్ పక్షమునకు చెందిన వారము మేము. ఈ పక్షములో ఉండే క్రమశిక్షణ ఇందులకు కారణము. మేము ఈ బిల్లును కొన్ని సంతర్భములలో విమర్శిస్తున్నామంటే, అత్త విమర్శన చేసుకుంటున్నామని, ఏదైనా లోటుపాట్లుంటే సరిదిద్దుకోవాలని మాత్రమే కాని వేరుకాదు. ఈ ఆత్మ విమర్శన, ఈ క్రమశిక్షణ మాకు మా నాయకుడు నేర్పినాడు. అందుచేతనే మేము అవసరమని తోచినపుడు విమర్శనలు చేసుకుంటాము. దీనిని ప్రతిపక్ష సభ్యులు అవ్యధా భావించడానికి ఏ మాత్రము అవకాశము లేదని మనవి చేస్తున్నాను (hear hear). ఈ బిల్లుపైన మా పార్టీ సభ్యులు కొంతమంది విమర్శన చేస్తున్నారంటే మూలలోని లోటు పాట్లను విమర్శనచేసుకొని తప్పులను సవరించుకొనుటకే కాని బిల్లును పూర్తిగా తోసి వుచ్చుటకు కాదు కాబట్టి మా విమర్శనలవల్ల ఏమీ నష్టములేదు. మా విమర్శనలు అత్త విమర్శనలు మాత్రమేనని మరల చెబుతూ ఈ బిల్లునుగురించి చర్చ ప్రారంభిస్తున్నాను.

“ఈ జమీందారి రద్దుబిల్లును ఇప్పటికి ఈ సభకు తీసుకొని రాగలిగినందులకు నాచిర కాల మిత్యడు గౌరవనీయులు కళా వెంకట్రావుగారిని హృదయపూర్వకంగా అభినందిస్తున్నాను. ఈ జమీందారి రద్దు జరుగుతోందని జమీందారి రైతు లోకము ఎక్కువ ఆశలతో గత 10 సంవత్సరములనుంచి ఉర్రూతలూగుతూ ఉన్నది. ఇప్పటికి రెండు ప్రభుత్వములను పొట్టునుబెట్టుకొని ఇప్పటికైనా ఈ ప్రభుత్వకాలములో జమీందారి రద్దు అనే పదము విన పడుతుందని అనుకొని చాలామంది జమీందారి రైతులు సంతోషిస్తున్నారు. ఇంతవరకైనా అట్టి పట్టుదలతో, శ్రద్ధతో ఈ జమీందారి రద్దు అనేటటువంటి దానిని తీసుకొని వచ్చినందులకు ప్రభుత్వమువారిని మరల అభినందిస్తున్నాను. అయినను ఈ బిల్లులో కొన్ని లోపములు లేకపోలేదు. ఈ బిల్లులో ‘రంగే’ గాని ‘మింగు’ లేదని అనేకమంది ప్రతిపక్ష సభ్యులు చెప్పి ఉన్నారు. మరికొంతమంది ఈ నాడు రాష్ట్ర ఆర్థిక పరిస్థితులు చాగుండలేదని, ఇటువంటి పరిస్థితులలో ఇ.న హెచ్చు Compensation ఉవ్వలేవుని, అంతేకాకుండా ఇండియా ప్రభుత్వ చట్టము 299 వ Section ప్రకారము ప్రభుత్వమువారు ఇవ్వదలచిన Compensation సకముగా లేదనే కారణముచేత ఈ బిల్లుకు గవర్నరు-జెనరల్ ఎసెంటు (Essent) ఇస్తారా లేదా అనే సందేహము తెలియజేశారు. ఇటువంటి సందేహము ప్రజలలోనుకూడా లేకపోలేదు. ఇట్టి సందేహములతోను, భయముతోను మనకు నిమిత్తములేదు. ఇటువంటి సందేహములకు తావిచ్చిస్తే మనము రైతులలోకానికి ఏ మాత్రము ఉపకారముచేయలేము. దక్షిణాది జమీందారిల గురించి నాకు హెచ్చు తెలియదుగాని మా ఉత్తరాది జిల్లాలలోని జమీందారిలలోని రైతుల చాలా హెచ్చుపన్ను కట్టలవసేవచ్చుచున్న సంగతులు అందరకు తెలిసినదే. ఈనాడు జమీందారులు ఏ సూలచేస్తున్న పన్నులు 1802 వ సంవత్సరములో నిర్ణయ

22nd November 1948]

[Sri T. Purushotham]

యించిన రేట్లకన్న అనేక రెట్లు హెచ్చుగా ఉన్నది. ఇటువంటి హెచ్చింపులు దక్షిణాది జమీందారీలలో జరుగలేదని అందరకు తెలిసిన విషయమే. నేను ఈ విధంగా చెబుతున్నానంటే ఉత్తరాదిని ఉన్నటివంటి జమీందారులందరూ హెచ్చుచేసారని కాదుగాని, హెచ్చు సందర్భములో జమీందారీలలో ఈనాడు వసూలుచేయబడుచున్న వస్తులు 1802 వ సంవత్సరపు పన్నులకన్న అనేక రెట్లు ఎక్కువగా ఉన్నాయని నేను చెప్పగలను.

“ఈ బిల్లు ప్రకారము, ఇందులో ఉదహరించిన నెక్స్టుల ప్రకారము ఇకముందు జమీందారీ రైతులు కూడా ప్రక్కన ఉన్న రైత్యురీ గ్రామాలలోని రైతులు ఏ తరము పన్నులు ఇస్తున్నారో ఆతరము పన్నులనే ఇవ్వవలసి ఉంటుంది. దీనివల్ల ఇప్పుడు రైత్యురీ రేట్లకన్న హెచ్చుపన్నులు ఇస్తున్న రైతులకు పన్ను తగ్గించబడుతుంది. అంత వరకు వారికి లాభము కలుగుతుంది, కాని కొన్ని జమీందారీ గ్రామాలలో ముఖ్యంగా మా తూర్పు గోదావరి జిల్లాలోని పిఠాపురం లోని కొన్ని తాలూకాలలోని గ్రామాలలో ప్రక్కన ఉన్న రైత్యురీ గ్రామాలలోని రేట్లకన్న తక్కువగా ఉన్నవి. ఈ బిల్లు ప్రకారము ఈ గ్రామాలలోని తక్కువ పన్నులు రైత్యురీ రేట్లకు హెచ్చింపబడతాయి. కాబట్టి ఈ బిల్లువల్ల ఈనాడు హెచ్చుపన్ను ఇస్తున్నటువంటి రైతులకే ఉపకారము జరుగుతుంది కాని, తక్కువ పన్ను ఇచ్చేటటువంటికి ఏ మాత్రము ఉపకారము జరుగదు. ప్రకారం కమిటీవారు రిపోర్టు ఇచ్చిన తరువాత రాష్ట్రంలోని రైతులు తమకు హెచ్చుపన్నులు ఇవ్వకోవలసిన ఆవస్థలకు ఇకముందు ఉండదని, పన్ను 1802 వ సంవత్సరంనాటి రేట్లకు తగ్గించబడుతుందని ఎంతో ఆశించారు: కాని 10 సంవత్సరాలు జరిగిన తరువాత ఈ ప్రభుత్వమువారు రైత్యురీ రేట్లనే ప్రమాణములుగా తిసుకొని ప్రక్కనున్న రైత్యురీ రేట్లకే ఈ జమీందారీ గ్రామాలలో పన్నును నిర్ణయించదలచినారు. ఈ విధానంవలన రైతుకు న్యాయంగాను, ధర్మంగాను జరుగవలసినంత న్యాయము జరగటంలేదు. Permanent Settlement నాడు 1802లో జమీందారులు వసూలుచేయవలసిన శిక్షలే న్యాయమైనవి. కాని ఇప్పుడు 1802 నాటి రేట్లను ఆమలుచేయటానికి ఈ జమీందారీలు survey settlementలు చేయబడలేదు కనుక కష్టమవుతుంది, ఆ కష్టతి మంచికద్దతి కాదని ఒక విమర్శవచ్చినది. ఆ కారణాన్ని నేను అంగీకరించజాలను. ఇప్పుడు మనము చర్చించుచున్న ఈ బిల్లు చట్టమయిన తరువాత ఈ జమీందారీల నన్నింటిని survey settlement లు చేయించటానికి చాలా కాలమువడుతుంది. వీటిని నన్నింటిని 5 సంవత్సరములలో survey settlement లు చేయించదలచినట్లుగా రెవెన్యూ మంత్రిగారు అంటున్నారు. Board of Revenue వారు ఇందుకు 8 సంవత్సరములు పట్టవచ్చునని అంచనా వేస్తున్నారు. కొందరు ఇతరులు అధమము 10 సంవత్సరములైనను పట్టవచ్చు వనకొనుచున్నారు. నామట్టుకు నేను ఈ ఖాములనన్నింటిని survey చేయించటానికి 10 విండ్లకు తక్కువ పట్టదని నమ్ముచున్నాను. ఇటువంటి పరిస్థితులలో ఈ 10 విండ్ల కాలములోను జమీందారీల నన్నింటిని survey చేయించి వాటిపైన 1802 వ సంవత్సరపు permanent settlement రేట్లను నిర్ణయించినట్లైతే రైతులకు చాలా ఉపయోక్తముగా ఉంటుందని శ్రీ కళా వెంకట్రావుగారికి తెలియజేస్తున్నాను. ఈ విషయాన్ని చెప్పడం ‘చర్చిత చర్చణం’ అవుతుందని నాకు తెలుసును కనుక గతముగూర్చి ఇక చెప్పి లాభములేదని ఈ విషయాన్ని మంత్రిగారి పరిశీలనకు వదిలివేస్తున్నాను.

“1937 వ సంవత్సరములో మొదట జమీందారీరద్దు తలపెట్టినపుడు ఆనాటి ప్రభుత్వమందారు ఒక జమీందారీలనే వారి సంకల్పములో ఉంచుకొన్నారు. కాని, 1947 వ సంవత్సరము వచ్చేసరికి ఈ ప్రభుత్వమువారు జమీందారీలలో వాళ్లు ఈ

[Sri T. Purushotham]

[22nd November 1948]

నాందారీలనకూడా ఇందులో చేర్చినారు. ఈ బిల్లులో ఈ భూములు వివిధంగాను
పూర్వీకాల చేయించుకుంటూనే జమీందారీలతో జతపరుపబడినవి. ఈ బిల్లు యొక్క
Statement of Objects and Reasonsలో కాంగ్రెస్ Working Committee వారి
ఆ దేశ ప్రకారము ఈ నాములకూడా చేర్చినామని అంటున్నారు. ఇది యద్దాద్దుము
కాదని కాంగ్రెస్ Working Committee వారు ఈ నాములను పూర్తిగా ఈ బిల్లులో
నుంచి మినహాయించవలసినదిగా ఆ దేశించినట్లు నామితుడు గోవిందాచార్య్యు గారు
చెప్పినారు. ఆయన చెప్పిన దానిలో కొంత ప్రభుత్వమున్నదని నేనుకూడా అనుకొంటు
న్నాను. మొట్టమొదట ఈ నాములనుకూడా ఇందులో రెవిన్యూ మంత్రిగారు చేర్చినారు.
తరువాత కాంగ్రెస్ పెద్దల ఆభిప్రాయానుగుణ్యంగా కొన్ని రకముల ఈ నాములను
ఈ బిల్లులోనుంచి తొలగించినట్లుగా రెవిన్యూ మంత్రిగారు అన్నారు. ఈ నాములను
ఈ బిల్లులో చేర్చట తప్పు. ఈ నాములనుకూడా రద్దు చేస్తామని కాంగ్రెస్ వారు
ఎప్పుడూ చెప్పలేదు. ఈ నాములగురించి ఇదివరకు ఏ విధమైన విచారణ జరిగి ఉండ
లేదు. ఈ కారణాలచేతనే వీటిని ప్రకాశం కమిటీ రిపోర్టులో చేర్చలేదు. ఈ నాము
లకు జమీందారులకువలెనే ఒక ప్రత్యేక చరిత్ర ఉన్నది. ఈ భూములు 1836 వ
సంవత్సరంవరకు ఈ నాందారులు సర్వహక్కులతోను అనుభవించారు. ఆ సంవత్స
రంలో Justice Party వారు వీటినికూడా కొన్ని రాజకీయ కారణాలచేత estate క్రింద
చేర్చించారు. తరువాత 1937 వ సంవత్సరములో కాంగ్రెస్ ప్రభుత్వమువారు
వచ్చిన తరువాత జమీందారి రద్దుకు మాత్రమే నిశ్చయించి ఒక రిపోర్టు తయారు చేశారు.
అందులో ఈ నాముల విషయము ఎక్కడా ఉదహరించబడలేదు. ఏ విధమైన విచారణ
జరుగకుండా ఈ రోజున రెవిన్యూ మంత్రిగారు ఈ నాములను రద్దు చేస్తామంటే అనేక
వేల వేద ఈ నాందారుల కుటుంబాలకు ఆపారమైన కష్టము కలుగుతుంది. విభో పేరు
ప్రతిష్టలకోసము ఈ నాములనుకూడా రద్దు చేయటానికి ప్రభుత్వమువారు నిర్ణయించినారే
కాని న్యాయాన్వయాలను వివక్షణ చేయలేదని మాత్రము చెప్పగలను. ఈ నాందారులను
కూడా జమీందారులవలె శిస్తు వసూలు చేసేటటువంటి agent లు అని అనడం ఏ
మాత్రము యదార్థముకాదు. జమీందారీలవలె కాక ఈ నాందారీలు సంఘము యొక్క
పురోధిత్వద్విగాను ఏర్పాటు చేయబడినవి. పూర్వపు ప్రభువులు, వక్రవర్తు, కళింగు
ఇతర సాంఘిక అవసరములకుగాను ఈ నాములను ఏర్పాటు చేశారు. సంఘము యొక్క
అధివ్యధిగాను అనేక మందిని నియమించి వారికి చిన్న చిన్న గ్రామములను ఈ నాములుగా
ఇచ్చినారు. అటువంటి వారి వద్దనుంచి ఈ భూములను తప్పించి, ఈ నాందారులుకూడా శిస్తు
వసూలు చేసేటటువంటి మధ్యవర్తులని, భూమిని సాగు చేసుకోవటానికి, అనుభవించడా
నికి వారికి హక్కులేదని అనడంచూస్తే ప్రభుత్వమువారి ఆభిప్రాయము బోధపడుట
లేదు. ఈ బిల్లు సందర్భంలో 1937 వ సంవత్సరంలో ఉన్న కాంగ్రెస్ ప్రభుత్వా
భిప్రాయానికి, 1947 వ సంవత్సరంలో ఉన్న కాంగ్రెస్ ప్రభుత్వాభిప్రాయానికి
లేదా ఉన్నది. ఈ నాడు ఈ ప్రభుత్వమువారు పూర్వంనుంచి ఉన్నటువంటి ధర్మా
దాండులని దేవాదాయాలనికూడా రద్దు చేయదలచుకున్నారు. ఈ గరి 10 సంవత్స
రాలలో ఈ కాంగ్రెస్ ప్రభుత్వమువారి దృష్టిధంలోకి వచ్చిన మార్పు ఇది. అంతే
కాకుండా ఈ బిల్లులోని 9 వ section చాలా అన్యాయంగా ఉన్నది. ప్రభుత్వమువారి
ఆభిప్రాయ ప్రకారము ఏవి 1936 ఈ నాములో, ఏవి 1908 ఈ నాములో, ఏవి
1867 ఈ నాములో నిర్ణయించుటకు ఆధారములు చూపవలసిన బాధ్యత ఈ నాం
దారులైన ఉన్నది. వీటికి కావలసిన ఆధారములన్నియు గవర్నమెంటువారి ఆధీనములో
ఉన్నాయి. Documents వారి దగ్గంలేకుండా ఈ నాందారులు విమోచయలేరు. ఇక
న్యాయాన్వయాల Special Officer యొక్క, Board of Revenue యొక్క,
Tribunal యొక్క దయాదర్శాలమీద ఆధారపడి ఉంటాయి. వీరి తీర్పులపైన

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అవీల చేసు కొనే అవకాశముకలుగ జేయబడలేదు. దీనివల్ల కొన్ని సందర్భములలో ఈ నాందారులకు అన్యాయం జరుగటానికి అవకాశాలు అనేకమున్నాయి. ఇటువంటివి జరుగకుండా Judicial గా తీర్పు ఇచ్చేటటువంటి కోర్టువారలకు ఈ అధికారము ఇస్తే ఈ నాందారులు, రైతులు ఉభయలు సంతోషిస్తారు.

“ఇంక దేవాదాయ ధర్మాదాయాలను గురించికొంత మనవిచేస్తాను. ఈ దేవాదాయ ధర్మాదాయాలలో చాలా భాగము జమీందారులు ఇచ్చినవికావు. వీటిని చిరకాలము క్రిందట పిందూ చక్రవర్తులు, మహమ్మదీయ ప్రభువులు ఏ నాడో కళాభివృద్ధికి, భాషాభివృద్ధికి విర్వాటు చేసి ఉన్నారు. ఈ ఈనాములను ఒక్కొక్క వసూలు కేకాకుండా వాటిని ప్రతిగృహీతలు దాన, విక్రయ సర్వాధికారలతో, వశపారంపర్యంగా అనుభవించటానికి, ఈ ఈనాందారులు సంఘానికి చేసిన నేపకు ప్రతిఫలంగాను ఇచ్చినారు. ఈ విషయాలు రెవిన్యూ మంత్రిగారికి తెలియపటువంటివికావు. ఈ దాతలువారు ఏ ఏ కారణాలతో ఈ దానములు చేసినారో, ఎవరికి చేసినారో ఏ ఏ హక్కులను ఈనాందారులకు ఇచ్చినారో, తాటాకు ప్రతములమీద వ్రాయించినట్లు లే పాడైపోయినవి, రాగి రేకులమీద వ్రాయుస్తే ఎంతో కాలముండలేదని, తాము చేసిన దానం ఆపందతారారకంగా ఉండాలనే అభిప్రాయంతో శిలాశాసనాలుగ అనేక వేల సందర్భములలో రాల్చిమీద చెక్కించినారు. ఇన్ని ప్రత్యక్ష నిదర్శనలున్నప్పటికీ ఈ నాడు 1948 వ సంవత్సరములో కాంగ్రెసు ప్రభుత్వమువారు ఈ ఈనాందారులందరు శిస్తువసూలు చేసుకొనే హక్కుగలవారేగాని, భూమిపైన వారికి ఏ ఇతర హక్కులులేదని వారిని 1802 వ సంవత్సరములో సృష్టించబడిన జమీందారులకు సరిపోల్చి ఈ మధ్య వర్తులందరు తొలగింపబడాలని అనడం న్యాయంగా కనుపించడంలేదు. ఇటువంటి పని ప్రజానికానికి వాద్యత్వహించటంవంటి Justice party వారుగాని Advisers గాని చేయలేకపోయినారు. దేవాదాయ ధర్మాదాయాలు ఏ హతాలకు సంబంధించినప్పటికీ ఇటు పిందూ చక్రవర్తులుగాని, అటు మహమ్మదీయ సవాబులుగాని వీటిని రద్దు చేయ దలచలేదు. కాని నేటికి ప్రజా ప్రతినిధులమని చెప్పుకొనే కాంగ్రెస్ వారి హయాములో ఈ దానముల నన్నింటిని రద్దుచేయదలచెట్టినారు. ఈ విధంగా చిన్న చిన్న సంసారుల ఆస్తులను బలాత్కారంగా అన్యాయంగా తీసుకోవడం ప్రారంభమైంది. ఇకముందు జరుగజూయే expropriation కు ఇది నాంది ప్రస్తావన అని మాత్రమే నేను అనుకొంటున్నాను. ఈచర్యలవల్ల ఎన్ని వేల వేద ఈనాందారుల కుటుంబాలు అడోగతి పాలవుతాయో ప్రభుత్వమువారు అలోచించవలసిన కోరుతున్నాను. వీరి సందరను హటాత్తుగా గొప్ప దరిద్రులనుగా చేసివేసినపుడు వారిని మరొక విధముగానైనను పోషించే వాద్యత ప్రభుత్వము మీద ఉన్నదని గుర్తించుకోగోరాను.

“ఏ ఈనాం గ్రామాల రద్దుచేయాలో వేటిని చేయరాదో అనేటటువంటి విషయములను Special Officer, Board of Revenue, Tribunal లు నిర్ణయించాలి. ఈ నిర్ణయించడం చాలా కష్టము. (At this stage Sri D. Krishnamurthy occupied the chair.) ఈ ఈనాములకు సంబంధించిన అనేక రికార్డులు ప్రభుత్వము వారి వద్దనే ఉన్నాయి. వాటి నన్నింటిని ఈ అధికారులు జాగ్రత్తగా పరిశీలించి ఈ నిర్ణయాలుచేయాలి. ఇదివరలో అనేక అన్యాయాలు జరిగాయి. Re-settlement అగు వరకు మొఖాసా గ్రామాలుగా ఉన్న కొన్ని గ్రామాలను, re-settlement అయినతరువాత ఏకారవము చేతనో కొన్ని సందర్భములలో జరాయితి గ్రామాలుగాచేశారు. ఈ మర్పులనే అభారముగా చేసుకొంటే

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Tribunal యొక్క దయాభర్తామీద ఆధారపడి ఉంటాయి. వారి తీర్పులపై ఇకముందు ఉండే అధికారులు తీర్పులిచ్చినట్లైతే రైతులకు చాలా అన్యాయము జరుగుతుంది. చాలాకాలమునుంచి అనుభవిస్తున్న వారి భూములు వారివద్దనుంచి తీసుకోవడం తాయి. అనేకమంది వారి జీవనాధారాన్ని కోల్పోయినవారవుతారు. ఉదాహరణగా మాజిల్లాలో ఉన్నటువంటి హసకాబాద్ అనే గ్రామాన్ని గురించి చెబుతాను. ఈ గ్రామము 1341 వ ఘనలీ వరకు మొఖసా గ్రామముగా ఉన్నది కాని అప్పుడు వచ్చినటువంటి settlement వారు దానిని జిగాయిలి గ్రామంగా మార్చుచేశారు. ఇప్పుడు ఈ బిల్లులో 9 వ section ప్రకారము వెనుక చట్టమును అక్కడ అమలుచేసిస్తే చీరకాలమునుంచి భూములపై హక్కు భూక్తములను కలిగిఉన్నట్టి అనేకమంది భూములను కోల్పోవలసి వస్తుంది. ఇటువంటి అన్యాయాలు జరుగకుండా అధికారులకు తగిన సలహాలిప్పించ వలసినదిగా రెవిన్యూ మంత్రిగారిని కోరుతున్నాను.

“మరొక విషయాన్ని గురించి మనవి చేస్తాను. మాజిల్లాలో కొన్ని చోట్ల ప్రభుత్వము వారు ప్రాజెక్టుకు సంబంధించిన గోదావరి కాలువలు త్రొవ్వవలసి వచ్చినపుడు కొంతమంది రైతులకు సంబంధించిన భూములను acquire చేయవలసివచ్చినది. ఈ భూములపై పన్ను ఎంత ఉండునో అంతవరకు జమీందారుకు Peishkush లో మినహాయింపు కూడ చేసినారు. ఈ రైతులకు వారివద్దను తీసుకొన్న భూములకు ప్రత్యామ్నాయంగా మరొక చోట భూములను ఇచ్చారు. ఇవి 1802 వ సంవత్సరముకు తరువాత జరిగిన కారణంచేత వీటిని దరిమిలా ఈనాములని అన్నారు. ఈ బిల్లు ప్రకారము దరిమిలా ఈనాము రద్దయే పరిస్థితులు ఏర్పడుతుంది. నేను పైన ఉదహరించినటువంటి సందర్భములలో ఈ దరిమిలా ఈనాములు ప్రభుత్వమువారికి రుద్దినదికాని వేరుకాదు. ప్రభుత్వోపయోగంకోసం ఈ భూములను తీసుకొని వారికి ఒడులుగా వేరు భూములను ఇచ్చినారు. ఈ భూములను ఇప్పుడు తీసుకుంటామంటే న్యాయముకాదు. ఇటువంటి విషయాలనుకూడ జాగ్రత్తగా విచారణ చేయించి ఎవ్వరికీ నష్టము కలుగకుండా చేయించగోరాను.

“ఇప్పుడు జమీందారీ గ్రామములలో రైతులు పన్నులు June, July మాసములలో ఇస్తున్నారు. కొన్ని సంధర్భకాలంలో వంటలు సరిగా పండనపుడు శిస్తులు బకాయాలు చెట్టవలసి వచ్చినపుడు కొంత ఆలశ్యముగా శిస్తులు ఇచ్చే ఆచారముకూడా ఉన్నది. కాని ఇప్పుడు ఈ గ్రామాలుకూడ రైల్వారీ గ్రామములకైంద మార్చబడుతున్నాయి కాబట్టి ఈ రైతులకూడ ఇతరులవలెనే January, February, March మాసములలోనే పన్నులు చెల్లించవలసి యుంటుంది. దీనివల్ల రైతులకు చాలా ఒత్తిడి ఏర్పడుతుంది. ఇదివరలో రైతులు కాలుచేయకూడదీసుకొని పన్నులు చెల్లిస్తూ ఉండేవారు కాని ఇకముందు వెంటనే పన్ను చెల్లించవలసి వస్తుంది. ఒక వేళ బారు ఈ విధంగా చెల్లించ లేకపోతే గవర్నమెంటు అధికారులు రైతుల ఇంటల్లో ఉండే చెంబు, తప్పాల బయటికివేయించి వేలంవేసి వారిశిస్తును చాచిట్టుకుంటారు. ఈ బిల్లువల్ల రైతుల మీద ఇటువంటి ఒత్తిడులు కలిగడంకూడ జరుగుతుంది. ఈ చట్టము అమలులోకి వచ్చిన తరువాత రైతులు జమీందారులకు ఇవ్వవలసినవేమి ఇవ్వరు. ఈ విధంగా జమీందారులకుకూడ నష్టము కలుగవచ్చును.

“ఈ జమీందారీ రద్దు చట్టమువల్ల ముఖ్యంగా ఈ నాడు హెచ్చుపన్నుల నియమనైన రైతులకు ఉపకారము జరుగుతుంది, మిగతావారికి విమత చెప్పకోతగ్గలా భూము ఉండను.”

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DR. SIR A. LAKSHMANASWAMI MUDALIYAR:—"Sir, the presumption always was that the zamindari ryot was paying more than the ryotwari ryot; the Hon. Revenue Minister himself admits it was the case; but my friend is saying it was the other way about."

SRI T. PURUSHOTHAM:—"కాని ఇటువంటి సందర్భములు చాలా తక్కువగా ఉండవు. ఈ జమీందారి రద్దు చిల్లువల్ల జమీందారి రైతులోకంలో చాలామంది (majority) కి ఉపకారము జరుగుతుంది కనుక కొద్దిమందికి అన్యాయము జరిగినదానిని అంతపాటిందనవలసివచ్చేదు. సాధారణంగా ఒక శాఖకు లాభించినపుడు ఇంకొక శాఖకు దండక రావడం సహజము. కాబట్టి కొద్దిమందికి ఈ చట్టమువలన లాభము కలుగక పోయినా వాద్యముందికి ఉపకరించుచున్నది కనుక దీనిని మనము ఆమోదించవలసి యున్నది. ఈ శాసనాన్ని ఆమలు చేసేటపుడు Special Officer, Board of Revenue వారు tribunals చాలాన్యాయంగా ప్రవర్తించి ఎవరికి ఆపకారము చేయకుండా చూడవలసిదని ప్రభుత్వమువారిని కోరుతో ఉంతటితో విరమిస్తున్నాను".

*** THE HON. SRI K. MADHAVA MENON:**—"Sir, I am interceding in this debate not because I can speak much about the intrinsic merits of the Bill as much as the Hon. Revenue Minister can; and I am sure he will certainly deal with it. But, as I said on a former occasion, I was provoked by certain remarks of the hon. Leader of the Opposition about the legal aspects of the Bill. Sir, besides the hon. Leader of the Opposition, there were other hon. Members who indulged in very big imprecations, curses or deprecations, saying 'you do not know what is going to be the result of this Bill; wait and see what it is going to be; this Bill will never be put into practice.' Such were the remarks made, and if I may use the word, even curses were hurled at this Bill."

DR. V. K. JOHN:—"Does he refer to the Congress Party members or to the Opposition?"

*** THE HON. SRI K. MADHAVA MENON:**—"If my hon. Friend thinks the cap fits him, let him take it also, Sir. Hon. Ministers have been always here, and if by some accident and due to circumstances, once we are late by two minutes, charges are being levelled against us though as a matter of fact some of us are sitting here so continuously that we are part of the furniture here. So, hon. Members know to whom I refer. About those curses and imprecations and deprecations and declamations against this Bill, I can only exclaim with the Lord "Oh Father, forgive them; they do not know what they say." (Laughter.) Let us not curse or think ill of the Bill; we have done everything with the best of motives, and let us all pray that this Bill will bring good to the country; let there be no curses which will only bring considerable harm to the country."

"Sir, I was rather perplexed when Mr. Ibrahim Sahib said: 'Whether you have mentioned it in the Congress election pledge or not, whether this was part of your election manifesto or not,

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whoever cared to look into your manifesto or to know what it was about.' I can only say, Sir, that everything seems yellow to the jaundiced eye, that Mr. Ibrahim Sahib and his party had. Only one election cry, viz., Pakistan or nothing, they had; and no other cry before the country to enable either their followers or the people to know the real truth as to whether they stood for anything or nothing. But that was not the case with the people who have voted for us and sent us here; they have thoroughly understood our manifesto; and that is why we are here to-day. I could gather only four points out of Dr. John's very long and learned speech. One was 'why should you pay money from the common taxpayers' money? Does it give the greatest benefit to everybody? Evidently you want to please those who have put you in power.' Yes, Sir; we do want to please and do good to the people who have put us in power; and what are we here for if we are not able to do so? I do not at all fight shy of saying that. If Dr. John thinks it is a big crime, then I plead guilty to the charge that we are here to-day not only to do good to those who have put us in power but also to the people who did not want us to be in power. It does not mean that we should do harm to those who did not want us here just because they did not vote for us; but we cannot give up the idea of doing good to the general body of the people. It is the people as a whole who have put us here and it is their good that we mind. That is my answer, Sir, to Mr. Ibrahim Sahib and Dr. John.

"Dr. John asked: 'why should you pay from the public funds; are you not wasting the amount of peshkash you are now getting, i.e., Rs. 47 lakhs; what are you going to gain by taking away this property from the zamindars and giving it to the pattadars without making them pay for it.' Sir, I am sorry, my arithmetic and my knowledge of arithmetical calculations is a little bit different from that of Dr. John. The total land revenue, excluding the irrigation-cess, that we get is about Rs. 4½ crores; the peshkash comes to only Rs. 47 lakhs, not even half a crore. The remaining 4 crores is the land revenue or rent paid by the remaining two-thirds of the entire Province. We are just going to convert this 1/3rd into ryotwari area and reduce the rent to the level of the ryotwari areas, so that when 2/3rds at present pay Rs. 4 crores, the remaining 1/3rd may at least pay Rs. 1½ crores. The Hon. Revenue Minister has given the approximate administration charges; and it will be found there is going to be no waste of money at all. Even if you are thinking of the interest on the investment of Rs. 17 crores, it is not going to be a loss to us. When the ryotwari tenant is paying a particular rent, there is no meaning in asking the zamindari tenant "you are going to be given a ryotwari patta, so you must pay more." Dr. John appeared to be not very much against the abolition or liquidation of zamindaris: but he was obsessed with two or three things like the tiller of the soil, the disregard for the courts and the Permanent Settlement Regulation of 1802. He said "you are doing a thing which

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has been condemned before.” Brandishing a big book of Civil Courts Manual, Dr. John said: “Here is Regulation II” as if we are doing a very great legal blunder. He said: “the zamindar’s proprietary right has been established once for all; you are doing a thing which has been condemned.” Sir, it is the usual practice of clever advocates; it requires a bit of art to take up a case, imagine that it is a very big case and make other people realise that a huge blunder is being committed and thus speak on nothing. Dr. John said that the Preamble of Regulation II of 1802 stated that the zamindar had proprietary rights. On the question of actual merits or demerits, the Hon. Revenue Minister will reply in due course, but I am now only replying to Dr. John who gave the idea that we are doing some illegal thing. “The Regulation II does say by implication that the zamindar is a proprietor and now what is the meaning of your saying he is a rent collector and all that” he asked. Sir, the Preamble to the Bill says: “A Bill to provide for the repeal of the permanent settlement,” and that is what the law can do. And then it says, “the acquisition of the rights of landholders”; yes, it means we are legislating for taking back what they own. Moreover, there is a definite section in this Bill which says that this repeals the permanent settlement of 1802. I cannot really understand what is the very grave mistake we are committing. Dr. John was harping upon the words “you are doing a condemned act.” I do not know who condemned it; we are not doing any such thing here. There is Regulation II of 1802 staring us in the face; we want to repeal it. Of course I can appreciate a criticism of the provisions of the Bill on intrinsic merits. Many members like Mr. Suryanarayana Rao, Dr. Lakshmanaswami Mudaliyar, Mr. Narayanaswami Nayudu and others have gone into the provisions, dissected certain portions of the Bill and stated that such and such provisions were wrong. I can understand those differences of opinion. I may hold a particular view about the abolition of the zamindaris; another person cannot be expected to hold the same view; or I may think this is the right method while it is open to another person to say it is wrong and suggest a better method. But to say that some huge illegal thing is being done is not correct. This Bill does not hide the fact that the zamindars have been declared as proprietary owners; and what is done now is to acquire those rights, and nothing more.

“Again, Dr. John and some other hon. Members said: “you have no regard for the courts; it has become a normal thing for you to say that your acts should not be questioned in courts of law.” Sir, there are three places in this Bill where the question of courts comes in. Time is the essence of the actual work to be done under this Act. If we allow every work to be held up by a suit every day or an injunction, then the people who are to work the Act can never work and the imprecations and curses hurled by some people now might become true. We want work to be done by the tribunal in respect of the investigation of inams; we

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have also said that one District Judge, a lawyer of such and such standing and a Deputy Collector of standing should form the tribunal to decide questions in that regard. If we allow appeals and counter-appeals to be made indefinitely, how is work to go on? In such a case, we must go on till eternity. As I said, time is the essence of the whole thing. In regard to decisions as to compensation, an appeal is provided for to a Division Bench; but we did not want to go further than that, to the Supreme Court or the Privy Council, because one party may be rich and the other party may be poor and the amount concerned may be small. So we wanted to stop somewhere and that is why we have stopped with two Judges of the High Court. Dr. John says: "Here is section 65 (1) under which all courts go out." Sir, clause 65 (1) says: "No suit or other proceeding shall lie against the Government for any act done or purported to be done under this Act or any rule made thereunder." That is a provision generally made in every law; there is no law in which I have not seen such a provision made in this Province. This is an attempt at land reform and if every act of every officer under this Act is to be questioned in a court of law, where is the end, I ask.

3-30
P.M.

"But provision has been made for action being taken against the Government in certain cases; that is if officers of Government have done anything in bad faith, there is provision for taking action. But it must be taken within six months. Therefore, Sir, I do not know where is this bogey of disregard for courts of law. I am sorry it has become a sort of fashion to say that the Government want to disregard courts of law. I beg to say that it is not so.

"Now I come to the fourth point raised by my Hon. Friend, Dr. John. He asked what we have done for the tiller of the soil. I for myself, feel it is very difficult to understand who the tiller of the soil is. I do not know whether it is the pattadar who along with hired labour works on his field or whether it is the day labourer who ploughs the land and receives wages for his labour from the pattadar. I do not know whether he means to suggest that a pattadar owning say ten or five acres of land who works on his plot of land along with labour hired by him is not a tiller of the soil. If that is the point, the motor chauffeur must become the owner of the car and not the person who has purchased it. To say that the pattadar must go and the patta is to be transferred from him is rather unfair. Supposing I have a garden and I employ some men for labour and I work there along with them; of course I pay them wages for their labour. After all that, would I agree to transfer the patta to them and make them the owners? To merely harp upon the tiller of the soil is just using it as a catchword."

DR. V. K. JOHN:—"What about lessees?"

THE HON. SRI K. MADHAVA MENON:—"They will be cultivating the land themselves or with the help of hired labour and

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they will be paying rents in accordance with the rents fixed in the lease deed. It is not a thing confined to the zamindari areas only; there are lessees in ryotwari areas also.

"It is not a condemnation of the Act to say that nothing has been done to the tillers of the soil; my answer is that there are also many pattadars who are also tillers of the soil. I do not know how Dr. John would put in this Act a provision to the effect that the tillers of the soil alone would be entitled to the benefit of this Act, if there is any benefit under this Act, when along with the wage-earner who works on the field, the pattadar also works along with him and is also the tiller of the soil."

DR. V. K. JOHN :—"I used the words 'cultivating tenant'."

* THE HON. SRI K. MADHAVA MENON :—"The hon. Member has got the proceedings in his hand and he could see what words he used and further Dr. Lakshmanaswami Mudaliyar in the course of his speech touched upon the reference made by Dr. John to tillers of the soil."

"So, Sir, it is very difficult to answer the point."

DR. V. K. JOHN :—"It is, therefore, better not to answer."

* THE HON. SRI K. MADHAVA MENON :—"But there is nothing to answer and that is what I say."

"I have not anything more to say because my Hon. Friend the Revenue Minister is ready to answer the other points. But before I close I wish to disabuse members of the idea that we are doing a very illegal thing; on the contrary, we are enacting this Bill to avoid any illegality and we are trying to do our best."

"Dr. Lakshmanaswami Mudaliyar said that the inequity in the matter of payment of compensation is improper. He said: you are taking away certain vested rights and why should you make any difference when the result of your actions is the same? On a strict rational principle, he is right; there is no difference between the zamindar owning thousands of acres and the other owning a few hundreds of acres. Unfortunately, now the principle of taxation is regressive and the tax is the same per acre, whether one owns ten acres of land or one acre of land. If a man owns ten acres and if another owns five hundred, the man owning five hundred acres pays just fifty times the tax paid by the other man. It is on that basis that I say that the point made by him is quite rational. But my reply is that in the case of the bigger zamindar he will not feel his loss to the extent that the other smaller zamindar will feel his and it is on that ground that the sliding scale can be justified. Though rationally it is all right, we cannot do everything rationally and we have to take account of practical considerations and that is why the sliding scale has been adopted."

SRI S. JAYARAM REDDIYAR :—"தலைவர் அவர்களே, ஜமீந்தாரி முறையை ஒழிக்கவேண்டுமென்று இப்பொழுது ஒரு சட்டத்தை நமது கனம் ரிவினியூ மந்திரி சபையில் பிரேரேபித்திருக்கிறார். இந்த முறை நம் நாட்டில் இருக்கவேண்டுமா என்பதைப்பற்றி சர்ச்சையே இல்லை. நம்

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நாட்டில் இந்த முறை இருக்கவேண்டுமென்று சொல்லி அதற்கு யாராவது ஆதரவு கொடுத்தால் அவர்கள் ஜமீந்தார்களுக்குப் பெரிய கெடுதல் செய்கிறவர்களாவார்கள் என்பது என்னுடைய எண்ணம். இப்பொழுது இந்த சட்டத்தைக் கொண்டு வந்த கனம் ரிவினியூ மந்திரி யவர்களும் நானும் இதைப்பற்றி பல ஜமீந்தார்களிடம் பேசிக்கொண்டிருந்தபொழுது ஜமீந்தார்கள் கூட இந்த முறையை ஒழிப்பதை கண்டிக்க முன் வரவில்லை என்பதை நான் இந்த சந்தர்ப்பத்தில் தெரிவித்துக் கொள்ளுகிறேன். நாம் இந்த சட்ட சபையில் தத்வார்த்தமாக பேசி விட்டு பிற்பாடு நாட்டில் போய் பார்த்தாலும் அப்பொழுது ஜமீந்தார்களுடைய நிலைமை எப்படி இருக்கிறது என்று பார்க்கும்போது அவர்களே இந்த முறையை சீக்கிரத்தில் ஒழித்து விடுங்கள் என்றும் அதற்காக கனம் மந்திரியவர்களிடம் ஏதாவது சொல்லி இதை சீக்கிரத்தில் ஒழித்துவிட்டு தங்களுக்கு ஏதாவது பணத்தை வாங்கிக் கொடுத்து விடுங்கள் என்றும், அதைக்காலாக்கிரமத்தில் கொடுத்து விட்டால் தாங்கள் ஏதாவது வேறு நல்ல வேலையில் ஈடுபடுவதற்கு சௌகர்யமாக இருக்கும் என்றும் சொல்லுகிறார்கள். இவ்வித நிலைமையில் தான் இப்பொழுது ஜமீந்தார்கள் இருக்கிறார்கள் என்பதை இச்சந்தர்ப்பத்தில் நான் தெரிவித்துக் கொள்ள விரும்புகிறேன். இவ்வித நிலைமையில் அவர்கள் இருக்கும்போது அவர்களை கேலிக் கூத்தாக வைத்துக்கொண்டிருக்காமல் அவர்களுக்கு வேண்டிய பரிசாரம் செய்து கொடுத்து அவர்களை நல்ல நிலைமையில் வைக்கவேண்டியது இப்பொழுது அரசாங்கத்தை நடத்தும் கவர்ன்மென்டின் பொறுப்பு என்று நான் நினைக்கிறேன். அதற்கு ஹேதுவாக இப்பொழுது இந்த மசோதாவைக் கொண்டு வந்ததைப்பற்றி ரொம்பவும் சந்தோஷம். (At this stage Deputy President occupied the chair.) சென்ற சில மாதங்களாக இந்த மசோதா select committee யிலும் மற்ற இடங்களிலும் விவாதிக்கப்பட்டு இப்பொழுது ஜமீந்தார்கள் சார்பாக இந்த மசோதாவில் எவ்வளவோ விட்டுக்கொடுத்து அவர்களுக்கு வேண்டிய சௌகர்யங்களைச் செய்து கொடுக்க ஏற்பாடு செய்யப்பட்டிருக்கிறது. இந்த முறையை எல்லோரும் ஏகமனதாக ஒப்புக்கொண்டு கூடிய சீக்கிரம் அவர்களுக்கு நன்மை செய்து கொடுக்கவேண்டும். சாதாரணமாகப் பார்த்தால் கீழ் சபை விவாதத்திற்கும் இந்த சபை விவாதத்திற்கும் எப்பொழுதும் வித்யாசம் உண்டு. சாதாரணமாக கீழ் சபையில் இதைப்பற்றி விவாதிக்கும் போது இந்த ஜமீந்தார்களுக்கு ஏன் இவ்வளவு பணம் கொடுக்கவேண்டும், அவர்கள் வரி வசூல் செய்வதற்கு நியமிக்கப்பட்டவர்கள் தானே என்று விவாதிக்கப்பட்டது. என்னுடைய தொகுதியில் பார்த்தால் சாதாரணமாக ஒன்பது தாலுக்காக்கள் இருக்கின்றன. அதில் ஏழு தாலுக்காக்கள் ஜமீன் பிரதேசங்கள். அங்கே போய் ஜமீன்தாரிகளுடைய சூழ் நிலையை கவனித்தால் அங்கே வரி வசூல் செய்வது என்பது தர்பலமாக இருக்கிறது. அங்கே வரி வசூலாவதே கிடையாது. அதனால் ஜமீன்தார்களினால் பேஷ்குஷ் கூட கட்ட முடியாமலிருக்கிறார்கள். அதனால் அவர்கள் எங்களிடம் வந்து கலெக்டரிடம் ஏதாவது சொல்லி இந்த வரி வசூல் செய்வதற்கு ஏதாவது ஏற்பாடு செய்யவேண்டுமென்றும் எங்களிடம் சிபார்சு செய்யும்படி சொல்லுகிறார்கள். அப்படி இல்லாவிட்டால் தாங்கள் சத்யாகிரகம் செய்வதாகக்கூட சொல்லுகிறார்கள். இவ்வளவு தகராறுகள் அங்கே இருப்பதால் இந்த முறையை எவ்வளவு சீக்கிரம் ஒழிக்கவேண்டுமோ அவ்வளவு சீக்கிரத்தில் ஒழித்துவிட்டு அவர்களுக்குள் இருக்கும் சண்டையை ஒழித்துவிடவேண்டுமென்றும் கனம் மந்திரியவர்கள் இந்த மசோதாவைக் கொண்டு வந்ததற்கு நான் அவரைப் பாராட்டுகிறேன். அதற்காக நமது கனம் ரிவினியூ மந்திரியவர்களும் ரொம்பவும் சிரமம் எடுத்துக்கொண்டிருக்கிறார்கள். என்பதை இச்சந்தர்ப்பத்தில் தெரிவித்துக் கொள்ளுகிறேன்.

“Compensation கொடுக்கும் விஷயத்தில் ஒரு சில வார்த்தைகள் சொல்ல விரும்புகிறேன். இதைப்பற்றி கனம் டாக்டர் லட்சுமணசாமி முதலியாரும் சில வார்த்தைகள் சொன்னார்கள். Compensation கொடுக்கும் விஷயத்தில் சின்ன ஜமீந்தார் பெரிய ஜமீந்தார் என்று இரண்டு விதமாக பிரித்துக் கொடுக்கப்படுகிறது. சின்ன ஜமீந்தாருக்கு 30 மடங்

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கும் பெரிய ஜமீந்தாருக்கு அதை விட குறைந்த மடங்கும் கொடுப்பதாக சொல்லப்படுகிறது. அந்தந்த ஜமீந்தாருக்குத்தகுந்தாற்போல் கொடுக்க வேண்டுமென்று சட்டத்தில் சொல்லப்பட்டிருக்கிறது. இந்த முறையை ஒழிக்கும்போது அவரவர்களிடத்திலிருந்து வாங்கும் சொத்தைப் பொறுத்து அதனுடைய market valueக்குத் தக்கபடி compensation கொடுக்கவேண்டும். இதனால் இன்னும் அதிகமான பணக்காரர்களை உற்பத்தி செய்யக்கூடாது என்ற எண்ணங்கொண்டு சிறிய ஜமீந்தார்களுக்கு ஒரு வித ஜாஸ்தி மடங்கு தொகையும் பெரிய ஜமீந்தார்களுக்கு குறைந்த மடங்கு தொகையும் கொடுப்பதாக சொல்லப்படுகிறது. இது ஒரு நல்ல எண்ணம் தான் இதை எல்லோரும் ஆதரிக்கவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். ஆகையால் இந்த மசோதாவை எவ்வளவு சீக்கிரத்தில் நிறைவேற்றி நிறைவேற்றிக் கொடுக்கவேண்டுமோ அவ்வளவு சீக்கிரத்தில் நிறைவேற்றி ஆதரவு கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். சிலதுகள் பூராவும் நியாயமாக இருக்க முடியாது என்று கனம் மாதவ மேனன் சொன்னார். இதில் பலவித அபிப்பிராயம் இருக்கிறது என்றும் சொன்னார். ஆகையால் இதை சந்தர்ப்பம் சமயம் பார்த்து செய்யவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

“இன்னும் reserve fund விஷயமாக கனம் சூர்யநாராயண ராவ் சொன்னார். Development Scheme பணத்திலிருந்து இதற்கு கொண்டு வந்து போடுகிறதா என்று கேட்கிறார்கள். வேறு இடங்களில் நல்ல காரியங்கள் செய்கிறார்கள். இப்பொழுது ஆந்திர மாகாணம் பிரியப்போகிறது. இராமபாதசார்களுக்காக ரூ. 120 கோடி செலவு செய்யவேண்டியிருக்கிறது. அதனால் தமிழ் நாட்டிற்கு ஒன்றும் பிரயோஜனம் இல்லை. ஆனால் ஆந்திர நாட்டிற்கும் நன்மைகள் செய்யவேண்டும். இப்பொழுது ரூ. 2.47 லட்சம் வருவதில் ரூ. 47 லட்சம் பேஷ்குஷ் முதலிய செலவுகள் போக வருஷம் ஒரு கோடி ரூபாய் மிச்சம் வரும். ஆகையால் reserve bank-ல் எதாவது loan float பண்ணி 3 per cent வீதம் கொடுத்து இப்பொழுது compensationக்குக் கொடுக்கப்போகும் தொகைக்கு ஈடு செய்யலாம். இவ்விதம் செய்தால் நாம் 12 கோடி ரூபாய் கொடுத்தது போக 18 கோடி ரூபாய் மிச்சம் காட்டலாம். இந்த பேஷ்குஷ் கொடுத்துவிட்டு மிச்சம். ஒரு கோடி ரூபாய் வருவதிலிருந்து இந்த loan-ஐ repay பண்ணலாம். எவ்வளவோ பிரதேசங்களில் ரயத்துகளுக்கு சொகரியம் செய்திருக்கிறார்கள். இராமநாதபுரம் ஜில்லாவில் பார்த்தால் அங்கே பஞ்சாயத்து பண்ணி ஜமீன்களுக்கும் ரயத்துகளுக்கும் தகராறு இல்லாமல் செய்திருக்கிறார்கள். அங்கே ரயத்துகள் விளைந்த நெல்லை சாப்பட்டு விட்டார்கள். ஒரு இடத்தில் 120 ரூபாயும் இன்னொரு இடத்தில் 6½ ரூபாய் மாக இருக்கிறது. சில இடங்களில் நஞ்சையை விட புஞ்சைக்கு தீர்வை குறைவாக இருக்கிறது என்று கனம் புருஷோத்தமன் சொன்னார். ஒருவன் நஞ்சை நிலம் 2 ஏக்கர் வைத்திருந்தால் அதில் நூறு ஏக்கர் புஞ்சைக்கு சமமாக இருக்கிறது. ஆகையால் நிலங்களை மதித்து அதற்குத் தகுந்தாற்போல் compensation கொடுக்கவேண்டியது நியாயமாக இருக்கிறது. இன்னும் இராமநாதபுரம் ஜில்லாவில் சட்டம் சங்கம் முதலியவைகள் ஏற்படுத்தி ஜமீந்தார்கள் நல்ல காரியங்கள் செய்திருக்கிறார்கள் என்று சொல்லப்படுகிறது. இந்த மாதிரி ஜமீந்தார்கள் ஜனங்களுடைய நன்மைகளை கவனித்திருந்தால் இந்த மாதிரி பிரச்சனைகளே வந்திருக்காது. இன்னும் ரயத்துகள் இருக்கும் இடத்தில் போய் மக்களிடத்தில் என்ன எண்ணம் இருக்கிறது என்று பார்த்தால் இப்பொழுது ஜமீன் முறையை ஒழிக்கவேண்டுமென்று சொல்வதை யாராவது எதிர்த்தால் அவர்களுக்கு அடுத்த எல்லைகளில் போட்டுப்போட ஆட்கள் இருக்கவே இருக்காது. Constituent Assembly-யில் செக்ஷன் 299-ஐ போட்டிருப்பதைப்பற்றி கனம் லெட்சுமணசுவாமி முதலியார் சொன்னார். இப்பொழுது Adult suffrage வரப்பெறுகிறது. எழுதப்பட்டிருக்கத் தெரியாதவர்களுக்குக் கூட வோட்டுரிமை வழங்கப்பட்ட போகிறது என்று இராஜேந்திர பிரசாத் கூட சொன்னார். அப்படி இருக்கும்போது யார் election-ல் ஜெயித்து வருவார்கள் என்று சாதாரணமாக யோசித்துப்

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பார்க்கவேண்டும். அந்த மாதிரி வோட்டுரிமை வரும்போது இந்த ஜமீன் முறை ஒழிப்பை எதிர்க்கிறவர்களுக்கு எவ்விதம் வோட்டுகள் கிடைக்கும் என்று பார்க்கவேண்டும். நாம் இப்பொழுது negotiable bonds ஆக கொடுக்க வேண்டுமென்று சொல்லுகிறோம். அடுத்த எலெக்ஷனில் எப்படிப்பட்டவர்கள் வோட்டுப்பெற்று வருவார்கள் என்று யோசித்துப் பார்த்து அது போன்றவர்களுக்கு இந்த சட்டத்தை Privy Council Federal Court முதலிய இடங்களுக்குப் போகும்படியான தப்பெண்ணம் வரும்படி இடம் கொடுக்காமல் மரியாதையாக கொடுக்கும் பணத்தை வாங்கிக் கொள்ளவேண்டும். அப்படி வாங்கி நாட்டிற்கு நன்மையைச் செய்ய வேண்டுமென்று சொல்லிக்கொண்டு இந்த மசோதாவை ஆதரித்து நிறைவேற்றிக் கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

3-45
p.m.

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—“ Mr. President, Sir, let me first of all, pay my humble tribute to the laborious work that has been done by the Hon. Revenue Minister with regard to this Bill. Even his better critics would not deny him the credit of masterly knowledge with regard to the subject and the great pains that he has taken at the cost of his health. But the question is not what a particular Minister is sincerely doing with regard to a particular measure but to what extent that measure is to be utilized for the good of the public. From that point of view, Sir, one fails to see how this Zamindari Bill can be really useful to the people in its present form. Now, Sir, my hon. friend who spoke just before me, said, ‘ If you go to the villages and find the mentality of the people or the views of the people, you will see that you will not get a single vote in the next general election if you oppose the Zamindari Bill.’ That is, all those who are in favour of the Zamindari Bill will certainly get votes but those who are against it will not be elected. Is that the reason, I ask the Congress Party, why they should bring this legislation? Is it because they want to just catch the imagination of the ignorant people and get into legislature again? I say, that this should not be the criterion. This should not be the principle on which any legislation should be based. Of course, I give credit to the Hon. Minister and I know he may not be anxious to be returned to the legislature again. He sincerely believes that this piece of legislation should be placed on the statute book. But I say, he is grievously mistaken.

“ Now, Sir, reference was made in this House to the Congress manifesto. I feel that the Working Committee of the Congress drew up that manifesto certainly for the good of the people. But, I ask, was it the manifesto drawn up by the Working Committee or the Madras Provincial Congress Committee or was it the manifesto drawn up by the Working Committee of the All-India Congress Committee? If that is the manifesto drawn up by the All-India Congress Committee, then either we should feel that this Province is very enthusiastic and is trying to follow the principles of the Congress or more wisdom has dawned upon other provinces to defer legislation of this kind. I think this is the first province that has got a piece of legislation of this type. In no other province has the Zamindari Bill been passed.”

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THE HON. SRI KALA VENKATA RAO :—“ It was passed in Bihar.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Has this Bill been passed in Bihar? ”

THE HON. SRI KALA VENKATA RAO :—“ This has already been passed in Bihar.”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ But no date has been fixed. Whatever may be the views of the people outside this province, I am certain that for this Zamindari Bill, no date will be fixed either by this province or by any other province. Most probably, any other party that may come into power after the next general election may scrap this piece of legislation. Sir, I am not in sympathy with the zamindars. I am not a zamindar. Certainly, I am not. I thank God for it. But there are zamindars and zamindars. There are good zamindars and bad zamindars as the hon. Dr. Sir Lakshmanaswami Mudaliyar pointed out. Whether anybody is a zamindar or not, he should not, on account of the fact that he belongs to a particular class of people, be shown any lack of sympathy. Our Province, Sir, has certainly been very forward. We passed the Prohibition Act—I do not know whether the Prohibition Act has been passed by any other province in India.

“ Sir, apart from the legality of any Act to which my hon. Friend, Mr. Madhava Menon referred to in his speech and criticised our Leader, Dr. John, there is also a moral aspect of it. Any law, which is not based upon morality, is no law. Therefore, whatever Act you may pass or whatever act you may place on the statute book, if that is not based on morality, I would only say that the public are hoodwinked and that the law which is placed on the statute book is, after all, worth nothing. Now we have passed the Prohibition Act. Even now, there is a Bill before the legislature, Sir, by which the Government want to enrich its coffers by getting excise revenue on importation of liquor, preparation of liquor, export of liquor and so on and so forth. Therefore, what I feel is that our people here—I mean the Congress people here—should rather look to the moral aspect of the question than to the cheap popularity which they hope to get by going to the electorate and saying, ‘ We have passed the Prohibition Act. We have passed the Zamindari Act.’ But there is no use in passing Acts like this unless you really probe into the root of the question and see how far we are morally helping the people.

“ Sir, let me now come to the question of morality based on law. What does section 3 (b) of this Zamindari Bill say? It says—

“(b) the entire estate (including all communal lands and porambokes; other non-ryoti lands; waste lands; pasture lands; lanka lands; forests; mines and minerals; quarries;

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rivers and streams, tanks and irrigation works; fisheries; and ferries), shall stand transferred to the Government and vest in them, free of all encumbrances; . . .

Now, Sir, the Government by a stroke of the pen, without having regard to the moral aspect of the question, say, "Well, all zamindari lands will vest in the Government. I can understand people opposed to zamindars saying like this because they feel that the zamindars are not the real owners of the property; they are not landholders; and they were people who were merely rent Collectors and afterwards, usurped those lands and became proprietors. You see, you not only deprive the zamindars of their lands, but you also deprive those people who—based upon the law of the land standing as it was on that occasion—paid money to certain zamindars thinking that their zamindari lands would be a security for their money and believing that they were acting under the law. They have paid money to the zamindars. Now what is going to happen to their money. Are you not going to confiscate and take over that money illegally by an Act of legislature? You make an illegal act legal by an Act of Legislature and you are depriving those people of their hard-earned money. I can understand your saying that the zamindar is only an ijaradar and rent collector and he has no right over the land and he has no business to get the land and therefore we have no sympathy with the zamindar. I can certainly endorse your opinion with regard to this matter. But what will happen to men who paid their hard-earned money? For instance, I earned money by my hard labour or by carrying on trade or by taking up any legitimate occupation. I wanted to invest that money in a safe security. As a safe security, I gave money to a zamindar according to the law as it stood at that time. Now, according to the present Bill, whatever money I might have given to the zamindar, that money is gone. I have no right to that money.

"Now, there is the other legal aspect. What is the difference between anybody entering my house and taking possession of it and the Government entering and taking possession of all lands and all the mortgage rights. The Hon. Revenue Minister might say that there will be a committee appointed and rules will be framed and will be brought before legislature. But what is the use of such a procedure. The legislature, as it is constituted at present, is subject to certain discipline."

THE HON. SRI KALA VENKATA RAO :—"Is there any other legislature in the world not subject to discipline."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"I am referring to the discipline in the party in power. In spite of that, the Hon. Revenue Minister knows that on his side there are people whose hearts are with us, whose tongues are with us and whose feelings are with us but not their votes. (Interruption.) Well,

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Sir, I have no sympathy for the inamdars as well. What I say is that if you will only give freedom of vote, you will certainly see that all those people will vote with us and not with you. Therefore, there is a certain discipline to which they are subjected."

DR. V. K. JOHN :—" Does the hon. Member suggest that their conscience is suppressed? "

THE HON. SRI KALA VENKATA RAO :—" There are also certain people on the other side who will vote with us."

DR. V. K. JOHN :—" Let us have a free vote on this Bill."

THE HON. SRI KALA VENKATA RAO :—" This is a democratic Government and democracy has got its own functions and conventions."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Sir, democracy has also its defects. One of the defects is that people cannot express their views and vote according to their own conscience."

THE HON. SRI KALA VENKATA RAO :—" It is also in the League Party."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Sir, that is one of the defects in democracy, whether it is in the Congress Party or in the League Party or in the United Democratic Party. We are unable to rise above that defect. Therefore, what I say is that certain people are not able to vote with us and they feel that they are really deprived of their legitimate due.

" I have already said that I have no sympathy for the zamindars. But I will certainly take objection if you say that all the money that has been paid must go and that you will fix the compensation. Who are you to fix the compensation? Let the compensation be fixed by an impartial tribunal, or by a court. Let the compensation be fixed according to the law of the land as it obtains to-day. But you put the cart before the horse. You must fix the compensation first. You must also fix the value of the land. You must also see whether a particular land was given on mortgage and whether there was any interest due to that mortgage. After taking all these into consideration, you can say, ' Well, we take this land.' Then it will be quite in order and strictly legal and also according to principles of morality. I am not a lawyer as Mr. Madhava Menon is. He said that lawyers can make out a very good case even on a matter which is very shallow. Lawyers can make out very good cases but I am not able to do it."

SRI MOTHEY NARAYANA RAO :—" Is it a good case you are advocating? " 4 p.m.

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" My friend asks ' It is a good case? ' That is why I say, there are people on the other side whose sympathy is with us on this measure."

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SRI MOTHEY NARAYANA RAO :—" I am referring to your arguments."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Sir, if I am able to make out a good case, it is not because of my ability, but it is because of the justice of the cause, which lies on this side and not on the other side of the House. Therefore, I say, Sir, this clause 3 (b) should not find a place in this Bill.

" Now, Sir, when zamindaris are to be abolished, who is the man to be benefited by this Bill? Under this Bill you are going to deprive the zamindar of his entire land. A man who possessed hundreds and thousands of acres of land, who was called a zamindar, a respectable man, sometime back, now becomes a landless man, a landless landlord or a landless zamindar; not even an inch of land is to be left to him. This measure does not say, at least, fifteen acres or twenty acres will be left to him. You say all his lands, forest lands, waste lands, pasture lands, lanka lands, every sort of land that he possessed, will be taken away from him. Can want of sympathy and mercy go any further? You are making him a pauper. And what compensation are you going to give him? Supposing you give compensation in the shape of bonds, well, some other party will come to power; who knows, the Communist Party or the Socialist Party may come to power to-morrow and say, 'What else can be done; those bonds were given to you by the then Government under an Act of Legislature; now the legal course for this Government is to pass a legislation and say "all those bonds are hereby cancelled"'. Are you going to give hard cash now? A bird in the hand is worth two in the bush. I can appreciate your saying to the zamindar "you should also work like us and earn your bread; it is no use eating on another's labour.' You say, 'we will give you compensation; but wait till such time as we are able to pay you.' When is that day to come; nobody knows when it will come. Are they to wait till the Doomsday? Therefore, Sir, I rather feel, this is a sort of hard-heartedness and want of sympathy for the people whom you are going to dispossess by this legislation."

DR. V. K. JOHN :—" Political expediency."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I have already said this is political expediency, because there is a race going on between political parties as to who will be returned in large numbers to the legislature in the coming elections. Sir, I did not want to mention that word here. Races are still going on with us; and we must pay compliments to our Government for that! Though they have been saying, races should be abolished, they are allowing it to go on still; and they will go on for the next ten years, twenty years or more. I myself brought a Bill based upon the Government bill, but Government said, 'let not this private member have the credit for himself'."

SRI T. PURUSHOTHAM :—" Sir, may I request the hon. Member to confine himself to the Bill and not refer to races."

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ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I wish he had himself followed that when he spoke on this Bill. (Laughter.) Any way, I shall follow his advice, though he had not set an example himself.” (Laughter.)

DEPUTY PRESIDENT :—“ In view of the shortness of time at our disposal, I would request the hon. Member to confine himself to the Bill.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I shall obey you, Sir. So, Sir, under political expediency, or political need or political necessity this thing is sought to be done. Apart from that, Sir, we have to look at this question in a dispassionate manner.

“ I ask, for whose benefit is this legislation going to be passed? Is it for the benefit of the zamindar? No, he is going to be wiped off. The Hon. Revenue Minister, with all his ability, I must confess, has not said in so many words as to whom this Bill will benefit. May I ask, who is the man, or the person, or the class of persons, or which is the party which is going to be benefited by this measure? I hardly think it will be the tiller of the soil. The Hon. Minister for Agriculture, who, one would naturally expect, must have care and sympathy for the tiller of the soil remarked ‘ what has he to do with this legislation?’ It is just like saying, there is a driver, but what has he to do with the car? Here is the tiller of the soil, and what has he got to care as to who is the owner of the land?’ I am not speaking of inams; I am speaking of land. Are you not going to give the land to the tiller of the soil; and if not, for whose benefit are you going to deprive the zamindar of his land? That is the question which has not been answered by the Hon. Revenue Minister, either in this House or in the other House. Sir, it is tiller of the soil who should be benefited by this legislation, and not the pattadar. For, who are the pattadars? They must have got lands from the zamindar or they must have purchased them from somebody else. Therefore all these people are drones who have no business, if the spirit of this legislation is to be taken into account. And in this, unwillingly, unwittingly and unknowingly you are adopting Communist principles.”

THE HON. SRI KALA VENKATA RAO :—“ You want the land to be given to the tiller of the soil and at the same time you do not want to dispossess the zamindar!”

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ There must be logical conclusion to your action. Either the zamindar should be deprived for the sake of the poor people or he should not. If you say the zamindars are to be dispossessed to give their lands to the pattadars, that means you want to retain pattadars, and so I say, this Bill is of no avail.”

DEPUTY PRESIDENT :—“ You are repeating arguments.”

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ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ I shall finish in five minutes.

“ Then, Sir, with regard to buildings in estates, I want to say a few words. There is one peculiarity with regard to these buildings. Clause 18 (1) says :

Every building situated within the limits of an estate, which immediately before the notified date, belonged to any landholder thereof and was then being used by him as an office in connexion with its administration and for no other purpose, shall vest in the Government, free of all encumbrances.

“ Sir, mark the words, ‘ free of all encumbrances ’. This means the man who paid money on loan against the building loses his money and he is finished. Then, Sir, the most dangerous portion of that clause is contained in sub-clause (2), which is as follows :—

(2) Every building so situated which, immediately before the notified date, belonged to any such landholder and the whole or principal part whereof was then in the occupation of any religious, educational or charitable institution, shall also vest in the Government, free of all encumbrances, with effect on and from the notified date.

“ Now, Sir, what I submit is there are religious and charitable institutions which may be running schools or which may have places of religious worship in certain places ; and these people might have collected money from the public and might have acquired such buildings on mortgage and carrying on these institutions in the belief that the money they had given was quite safe and that they could not be ousted from their buildings. Now what this clause says is ‘ the whole or principal part whereof was then in occupation of any religious, educational or charitable institution, shall also vest in the Government.’ ”

“ Sir, I ask, is it not a sort of public disservice. Are you not creating a want of confidence in you, in the whole legislature and the whole Congress Party by doing acts which people thought you would not do? People have certain notions of morality and legality. People thought that according to law certain rights are safe, but by this legislation you say ‘ we are making laws and according to that you will have no such rights.’ Is this not a public disservice you are doing? At least the clause relating to charitable institutions and religious institutions might have been omitted. Sir, I do not want to prolong my speech. I only say in all our doings, in all the Acts we are passing one thing should be made plain to the people and that is that we are not out to estrange their confidence. We should not create a sense of insecurity in the minds of the people. Nobody knows what will happen to-morrow. Dr. John may not be allowed to live in his palatial bungalow with an extensive lawn. Excuse me, Mr. Deputy President, I will not refer to your bungalow. To-morrow a Bill may be brought before the Legislature saying that the lands in

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excess of two grounds in every house should be taken over and given to the landless. If such a Bill is passed, the housing problem in the City will disappear. Many people have got very big bungalows with extensive lawns. The lawns are not used and they are there for satisfying the pleasure of a few people."

DR. V. K. JOHN:—"Why should my hon. Friend put this idea into the head of our Government, as they may take our lands without compensation?"

* ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"I do not say that such an act is justified.

"In a bungalow which can accommodate fifty families, why should there be a single family consisting of one husband, one wife and two or three children? (Interruption.) I can have four wives, but unfortunately my age does not permit. (The Hon. Dr. T. S. S. Rajan: 'Age has nothing to do.') There is the doctor who says that age has nothing to do. I am glad I have got a medical certificate. Perhaps it is as true in my case as in the case of Dr. Rajan because both of us are more or less of the same age. I only submit that a sense of insecurity should not be created in the minds of the people. Respect for the law of the land must be maintained. People should not be under the impression that overnight the Government may deprive them of their property. I feel that this legislation, as it stands at present, creates a sense of insecurity in the minds of the people. I have never doubted the sincerity of the Hon. Revenue Minister and I have always had the highest appreciation for his hard work and the masterly manner in which he has piloted the Bill in this House and in the other House. But I submit that for the sake of justice and equity, let him accept at least some amendments. Some amendments have been given notice of by the hon. Leader of the Opposition. If at least one or two amendments are accepted, it will go a long way to show that the Government yield to public demand. If this Bill is passed by dint of party discipline and party strength, I certainly feel that the majority party will be prostituting its powers. Posterity and the historian of the future will not praise Acts of the legislature which are passed in this haphazard manner."

Sri Rao Bahadur D. Krishnamurthi rose to speak.

DEPUTY PRESIDENT:—"The hon. Member should finish his speech by 4-30 p.m. as the Hon. Revenue Minister will commence his reply at that time."

* SRI RAO BAHADUR D. KRISHNAMURTHI:—"Mr. Deputy President, Sir, this Bill has been subjected to very violent virulent criticism. But there is a larger aspect from which we have to consider the implications of the measure. Tenants cultivating about 128 lakhs of acres in this province are going to be affected by this Bill. That it is a very important aspect has to be always borne in mind. If the Bill does nothing else, it at least brings the land tenure affecting tenants cultivating thousands of acres in the

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estates into line with the jirayati system obtaining in ryotwari areas. The Hon. Revenue Minister has been performing a tremendous task for which he deserves our unstinted praise.

"The subject-matter of this Bill has been under discussion on public platforms for over a decade. The Bill should have seen the light of day in 1938 but for certain adverse circumstances. It has taken as long a period as ten years to reach this stage. The implications of the Bill will be clear if we understand the following facts. The peishkush paid by zamindars is in all about Rupees 47,00,000. The rent roll in the zamindari areas comes to about Rs. 2,40,00,000 and under the Rent Reduction Act it will be reduced perhaps by a fourth of that figure. Calculating this figure is a simple arithmetic. It can be seen then there will be a residue of Rs. 1,10,00,000 and this amount after reduction of rent will go into the coffers of the Madras Government. This is a fact which even the Hon. Revenue Minister will not seriously dispute. As against an annual revenue of Rs. 1,33,00,000, the Government are going to pay a sum of 17½ crores of rupees as compensation. Much criticism has been directed against the method of fixing the compensation. It is a complex question, and within the limited time at my disposal, it is not possible for me to examine it in detail. I will content myself with placing one or two salient points before the House. There is always the right accruing from adverse possession for sixty years even against the Government and there is the limitation of twelve years by way of adverse possession of the property. Whether the zamindars have got proprietary right in the land or whether they have got only the right to collect the rents is a matter for competent courts to decide, should they choose to do so. But certainly the legislature has got the power to legislate and it is legislating to the best of its ability and knowledge. Whether the compensation that is provided for in the Bill is adequate or inadequate is a matter for consideration. The parties that are going to be affected by this Bill, particularly the zamindars, are going to lose a considerable amount of revenue, and in fairness to them some fair compensation has got to be paid. The Hon. Revenue Minister has accepted several suggestions made in the Select Committee and has given advisedly a slab rate of compensation. It works out to 12 crores of rupees in the case of zamindars and 5 crores in the case of inamdars. While agreeing with the principle of the legislation, I wish to make a very earnest appeal to the Hon. Revenue Minister to be more liberal in the payment of compensation. The Government have brought forward this measure in order to ameliorate the condition of the tenants. In his talk through the All-India Radio the other day, the Hon. Revenue Minister envisaged a very ambitious scheme for the codification of land tenures in this province and adverted to the possibility of several schemes which he was going to introduce in the near future. I take it that this is only the beginning and that the other Acts would follow leading to codification of the land tenures, a task which has not been accomplished by anybody since the days of Manu. Leaving that apart, certainly it is the duty of the Government to pay to the person or persons from whom they

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acquire certain rights something by way of compensation which should be adequate or at least satisfactory to the general public. There are two things, the quantum of compensation and the method of payment. About the quantum of compensation, the Bill gives some details. If we take the normal rent roll after applying the Rent Reduction Act at 1 crore and multiply by twenty times, it comes to 20 crores. The compensation provided for in the Bill comes to about 17½ crores and the Government have met this fairly well. With regard to the payment of the amount, the position is very indefinite. Subsequent to the introduction of this Bill, an unforeseen situation has arisen in the country and that is the existence of inflation. The Central Government have been advising this Government as well as the Governments of the other provinces to see that inflation is not given rise to by this method. This Government, who have taken up the abolition of zamindaris with the object of ameliorating the condition of the tenants, must behave in a just and equitable manner in the payment of compensation to the persons affected by this provision. To pay them a nominal compensation or ask them to wait indefinitely for the balance is neither just nor equitable. I hope that when the time comes, the Revenue Minister will be sympathetic and understand the view point of those who really suffer. The more we delay the Bill, the more difficult it will be for the people concerned, both tenants as well as the zamindars. Many zamindars have told me that they feel it very difficult to pay even the peishkush as the ryots, under the belief that this Bill would come into force soon, have not been paying the rent that is due. They have been finding it so difficult that time and again they have been approaching the Hon. Minister for extension of time. So far as the ryots are concerned, they are not in a position to understand what their rights would be. There are people who circulate exaggerated and false reports from interested motives and a difficult situation has thus arisen. The sooner the Bill is passed and the notifications under the Act issued, the better. With regard to arrears of rent, there seems to be considerable misunderstanding. Strictly speaking, arrears are only accumulations of dues. If the rents had been collected in due time, they would have formed part and parcel of the property of the proprietor of the estate. Even now equity is in favour of them and I trust the Hon. Minister will help them.

“ Between the date of notification and arriving at the figure for basis of actual compensation, I think a considerable period is bound to elapse. The period may even be three or four years as several complications may arise in the course of survey and settlement. Therefore I request the Hon. Minister to be sympathetic to the zamindars and pay them liberally. Unfortunately none of the elected representatives of the zamindars is in this House. The zamindars in the other House represented their case very strongly. Zamindars also have done some service to the country. They have played a dignified and useful part in the public life of the country, particularly in the northern districts. They have spent considerable sums in either endowing or maintaining several institutions

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like schools and colleges, hospitals, orphanages, charitable and religious endowments. It is neither fair, just nor even moral to make these zamindars suffer. Whatever the Government decide as the sum that is due, it should be paid irrespective of other considerations and paid as early as possible so that they may know where they stand and adjust themselves to altered conditions of life.

"Several other objections have been raised. I think it is not, necessary for me to go into them in detail. Whether this Bill does good or bad is a matter of opinion. When one understands its full implications, he cannot but come to the irresistible conclusion that it aims at a lofty purpose, namely, ameliorating the condition of the tenants living in the estates of this Province—a reform which is long overdue. No doubt an enactment of this type would adversely affect certain sections of the people. But when once we take into consideration the larger amount of good that it is going to do, we have to concede that the Bill is absolutely necessary. Besides appealing to the Hon. Revenue Minister to see that the notification is done as early as possible, that the compensation is paid liberally and promptly, and that the arrears are settled as early as possible, I request him to see that grass is not allowed to grow under the feet. There are various ways and means to put off this Bill. There is ample scope for litigation under the Bill, and interested parties will always be on the alert and foment litigation, thereby putting off the coming into operation of this Bill.

"Several of my friends said that this measure was a result of the pledge given in the Congress Election Manifesto. Apart from that, it is certainly necessary to have a uniform system of land tenures in the Province. This Bill is substituting for the land tenure system in the estates the jirayati system obtaining in the ryotwari areas. In such a comprehensive measure, there is bound to be loss or hardship to individuals or groups of persons. Persons, however exalted or great they may be, have to put up with it in the interests of the common good.

"I congratulate the Hon. Revenue Minister on the splendid work he has been able to accomplish and on piloting a Bill of this complicated nature with such colossal success. I heartily support the Bill."

4-30
p.m.

* THE HON. SRI KALA VENKATA RAO :—"Mr. Deputy President, I am very thankful to the hon. Members of this House for the valuable criticisms they have offered with regard to this measure, and in particular, I am thankful for the very high level on which the debates have been kept up. Hardly has there been any personal reference by any one of the hon. Members and I am very glad indeed for it. After all, human beings as we are, we have differences of opinion with reference to many things in this world, particularly so, when a social revolution is attempted and an endeavour is made to bring about a new order of things in society to keep pace with the changing ideas and conditions of the world. It is therefore but natural that certain people should feel

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one way, while certain others should feel the other way. Therefore I do not personally feel very much, Sir, when certain friends have taken an exactly opposite view to the one that I have taken and the Government which I represent have taken. I am thankful indeed to the members for the various suggestions they have made and I and the Government will keep them in our minds, when we will have to administer the Act, after it emerges from this House.

“ Sir, the first and fundamental criticism that was made was that the fundamentals of the original Bill were changed by the Joint Select Committee. Sir, last night while I was reading the *Amrita Bazaar Patrika* under the heading ‘ Wit and Humour,’ I came across a funny piece of conversation between two gentlemen, in which one gentleman made a charge against another, when he met him on the road. The first gentleman asked the other, ‘ How you have changed! You used to have thick black hair and now you are bald! You used to have a ruddy complexion and now you are pale. You used to be stocky and now you are thin. I am surprised, Mr. Gordon.’ The other gentleman replied, ‘ But I am not Mr. Gordon.’ ‘ Oh, you have even changed your name,’ asked the first gentleman with surprise.’ (Laughter.)

“ Well Sir, this piece of conversation illustrates the nature of the change that has taken place in the complexion of the Bill of which my hon. Friend, Mr. Suryanarayana Rao, has complained. While he was accusing us that we have changed the fundamental principles of this Bill and was using only plural terms all through, I tried to interrupt and ask him in what way have the fundamental principles of the original Bill been changed after it had emerged from the Select Committee. He could quote only one instance, Sir, which I myself have referred to when I explained to this Hon. House the changes that had been made by the Select Committee on the Original Bill, namely, the deletion of the 1936 inams from the scope of the present Bill. Except for that only fundamental change, I maintain, Sir, none of the other fundamental principles have been changed from last year until to-day. The other changes made are not fundamental and they are only either incidental or consequential ones. If we had laid down that the basic annual sum should represent 20 per cent, and if the Select Committee had changed it into 25 per cent, surely it cannot be said to be a fundamental change. If, as my hon. Friend, Dr. Sir A. Lakshmanaswami Mudaliar, narrated to the House, changes were made at his suggestions in the Select Committee to improve the quality of the Bill, if there were changes consequent upon discussions, consequent upon arguments and consequent upon our being convinced of the good intentions behind certain of the suggestions that were made, if we have changed certain provisions to make certain adjustments here and there to suit the occasion, if we have changed certain clauses and made certain compromises so as to secure a greater measure of agreement on the Bill, if we have made changes here and there so as to introduce an element

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of justice to the parties affected, all these cannot be changes in the fundamental principles of the Bill—and you cannot say that the entire principle of the Bill has been changed. Therefore, Sir, my first submission to you is, that fundamental principle of the Bill has not been in any way altered, except perhaps in one respect, namely, the deletion of the 1936 inams from the scope of the present Bill. That, I have made clear to the House the other day and I have also categorically stated that that question will be taken up again by the Government shortly and that it will also come up before this House when hon. Members will naturally have an opportunity to have their say on that matter, because it will also go before a Joint Select Committee of both Houses."

DR. V. K. JOHN :—" That question is hanging fire."

THE HON. SRI KALA VENKATA RAO :—" It is not a question of hanging fire, Sir, because it is already in the fire, and we have only to pick it out of the fire so that it may be fit and ready to be made use of. We have to delay it for some time, because it was all raw till now and we have to put it under fire, so that it may get boiled and be ready to be eaten. Because we have been charged in this Bill that we have not proceeded on proper data, or collected sufficient statistics, or made requisite examination and study, we want to proceed rather cautiously with regard to that matter and we want to take the advice of all gentlemen who are present in this House, but I shall revert to it in detail, a little later.

" Now, Sir, with regard to the scope of this Bill, there has been some criticism. The first criticism was from Dr. Sir A. Lakshmanaswami Mudaliar with reference to the question of the proprietorship of the soil. I thought, Sir, that this question was settled once for all long ago. The Prakasam Committee which went into this matter in 1937 made an elaborate inquiry and a thorough investigation into the whole question and after an exhaustive examination of all the old records, came to the conclusion in their report that the proprietorship of the soil vested in the ryot and not with the zamindar. Sir, I need not now quote all the authorities over again or cover the same ground again, because that report had relied upon all the authorities and decisions and had come to that conclusion. That report was also adopted by the legislature of 1939. But one thing I must say just at present. From time immemorial in India, the land belonged only to the man who tilled the soil and brought it under cultivation and not to the sovereign, because the sovereign's right was only to take a tribute or portion of the produce from the land, whether in cash or in kind and he had no further right. And when the successor Government, the East India Company came into the position of the ruler, they could have derived only the same right and nothing more. When the East India Company brought into existence the system of zamindaris simply for the purpose of collecting rent from the ryot, they could not have conferred any greater privileges than

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they themselves possessed upon these zamindars who are their own creation. Sir, it is an accepted principle of law that nobody can confer greater rights to another than what he himself possesses and therefore how could the East India Company, which did not itself possess any proprietary rights to the soil, have conferred the right of proprietorship to the zamindars, to whom they issued Sanad-i-Milkiat-Isthimarar and created them as an entity?

" In this connexion, Sir, another aspect of the question was brought to my notice by certain hon. Members, who said that all the zamindars were not the creation of the East India Company and that some of them had descended from the ancient Rajas and they enjoyed certain special rights and privileges, which were not disputed. It may be true, Sir, that some of the present day zamindars might belong to the families of the ancient rulers of this part of the country. But when the foreign power came in and conquered them and took away or annexed their territories to themselves, they could not have given them back all the sovereign rights over those territories, even though some of them might have been retained in occupation of those lands either as hereditary chiefs, or farmers or as collectors of revenue. Subsequently when the East India Company brought into force the Permanent Settlement Regulations, there was no distinction drawn between the hereditary chiefs or descendants of ancient Rajas and farmers of revenue but all these people were treated as one category and brought under the same regulations and the same type of law that existed in this country at that time.

" Then, Sir, another charge—and that was an important one—that was made against this measure was that we are creating a new type of intermediaries. I submit, Sir, that this is absolutely wrong. As far as the Madras Presidency is concerned, as I have already explained, there are only two main agencies, the Government and the pattadar that are in existence in the ryotwari areas to-day. In the case of the zamindaris, there are, the Government, the zamindar and the occupancy ryot. These are the only two systems that we have in this Presidency. We have one intermediary in the zamindari between the Government and the occupancy ryot, and that is the zamindar. The occupancy ryot in a zamindari estate has got all the important rights of property; he has got the right to sell, the right to gift away his land, the right to inherit and every other right, in the same way in which the ryotwari pattadar enjoys his property. I should therefore like to tell my hon. Friends Mr. Suryanarayana Rao and Dr. John, who made this charge, that they should read all the three measures, two of which we have already passed and this measure together, and not this Abolition Bill alone. I am sorry Sir, that this Bill was a bit delayed under circumstances beyond my control. We expected that the Prohibition of Alienation Bill, the Rent Reduction Bill and this Zamindari Abolition Bill would all come in quick succession. All these three measures form one whole scheme of our land reform. This is only a first step in our programme. These measures, in the first

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instance, reduce the rents of the ryots and confer on them some immediate benefits, who according to us had been suffering under a rack-renting system from a very long time. Our next step is to abolish the present system of land tenure entirely and to bring about a uniform tenure throughout the whole Province, to which my hon. Friend Mr. Krishnamurthi referred. This is our present position and this is our plan. Having taken the first step, other things will naturally follow and this Zamindari Abolition Bill is only one of the logical processes in our scheme of land reform. That being so, I submit, Sir, that all criticisms in respect of this measure must have a bearing upon the other two measures as well, and therefore this Bill should not be taken in isolation for the purpose of general criticism of our land policy. That Sir is my submission, so far as our general policy in regard to land is concerned.

“ Then Sir, with regard to this Abolition Bill certain criticisms have been made and certain points have been raised, and I will answer them categorically in a few minutes. But with regard to the contention of Dr. John and Mr. Suryanarayana Rao that we are creating a new set of intermediaries under this Bill, I must say that they are not at all correct, because there are not other intermediaries. But at the same time, I must point out that the pattadars in the ryotwari areas and the occupancy ryot in the zamindari areas are all there—you may call them intermediaries if you like—and we shall have to deal with them at the proper time. All the same, my contention is that we are not creating any new set of intermediaries by means of this measure, as my hon. Friends imagine.

“ Then Sir, with regard to the various criticisms that have been made on the floor of this House, about the position of the cultivating tenant, the tiller of the soil, I have already made it clear that it is a matter for further legislation and this measure is only a prelude to the others that are going to follow. Sir, no doubt, the Congress election manifesto stated that all intermediaries between the peasant and the State will be removed. It never said that it would be possible to do so by a single stroke of the pen or by means of a single piece of legislation. The Congress has got an ideal and an idea in the matter of our land policy in this country and the election manifesto has only laid down that ideal and expressed the idea of the Congress and we have to bring about that ideal in due course and in proper time and in a legal and constitutional manner. It is a stupendous task and cannot be achieved in a single day or by means of a single measure, as my Hon. Colleague Mr. Madhava Menon has pointed out. Sir, I have the greatest sympathy for the tiller of the soil. But we must know who is the tiller of the soil. My hon. Friend Mr. Suryanarayana Rao is probably under the impression that there are a number of intermediaries between the tiller of the soil and the State and it is with that impression that he made his criticisms on this Bill. Probably he does not know the system that is in vogue in other provinces. Take for instance the Province of Bihar. There, between the

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landholder and the last man who actually tills the soil, there are as many as 17 people, and all these 17 people have to share the rent or the melvaram that is collected from the tenant. We have got some such system in North Malabar to-day, about which we are going to introduce a legislation a few days later.

"First we have to understand the distinction between a tenancy and a tenure, because the question of tenancy reform is a very wide one and that question we have to tackle seriously and in all earnestness, and we are going to tackle it. It will come up before this House sometime later and hon. Members of this House will be requested to give their advice and their advice will have a great influence upon the decisions which the Government are going to take. But this much I must tell you. The whole problem is now being investigated by the Agrarian Reforms Committee appointed by the Congress President. They are sitting here to-day in this City and are examining witnesses. They are going to tour throughout the country studying the tenancy systems prevailing in the various parts of the country and are going to recommend a uniform and common system of land tenure throughout the whole country. As soon as their report is published, which will not take much time, we will have the benefit of their advice and suggestions and we are going to tackle this question in right earnest and I promise, if hon. Members who are very much interested in that aspect of the question, will wait a little longer to see the fulfilment of the ideas and the ideals for which the Congress stands and which are adumbrated in the Congress election manifesto.

"Sir, some hon. Friends on the other side are still arguing that the zamindar is the proprietor of the soil, although many legal decisions have been quoted and many authorities cited in the Prakasam Committee's Report, refuting such a suggestion. I shall not therefore take the trouble of citing those decisions. But I must say one thing that in any system of land reform, we must go step by step, and I am perfectly certain that once a uniform system of land tenure has been established in this Province, the question of tenancy will follow as a logical course and the problem of the tenants will be settled automatically. Let me here assure hon. Members one thing, that whatever it might have been in the past, this country is now being governed by middle-class men, whose representatives we are. There can be no gainsaying this fact. We must therefore do justice to the middle-class men and men below the middle class and we cannot simply belie their expectations or act in a manner prejudicial to their interests and welfare. We have to take into consideration their conditions of life, their manner of living, their method of occupation, and the manner in which they are investing in land and how they are eking out their livelihood from the land and how they are placed in society. We cannot ignore these facts. We cannot simply drive these people out from their lands and deprive them of their pattas. We cannot do anything which will touch their rights to property or affect their interests. It is only the rich, who possess vast extents of lands that

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we can lay our hands upon, and it is only through them that we can solve this problem of the land and I am perfectly certain that the Government are keenly alive to this aspect of the question and are deeply concerned with this matter and will do the needful to the suffering man even in the remotest corner of this Province. I now come to the question of inams, Sir. This has been the subject of debate here, there and everywhere. I do not know, Sir, whether the United Democratic Party is after all so united over this matter. I am perfectly certain, Sir, that with the traditions of his family, the hon. Member, Sri B. Narayanaswami Nayudu, will never agree for the retention of the inams at any rate in the future."

DR. V. K. JOHN :—" We give freedom of expression and freedom to vote, unlike the Congress Party."

* THE HON. SRI KALA VENKATA RAO :—" But when I envisage the future of the party, Sir, as an astrologer, I must say that the Party cannot hold good for very long for the simple reason that it opened its doors for Mr. Farookhi, a very good friend of mine for over two and a half decades. He was in the League and to-day he is among United Democrats. In this way he cannot go on changing allegiance. They cannot hold together for long except through an ideology. I know their ideology. It is that they have been pledged for a good cause. It may keep them together now."

DR. V. K. JOHN :—" We have a progressive mind."

* THE HON. SRI KALA VENKATA RAO :—" I am very glad to hear that, Sir. I am not criticising any one, Sir. I am only saying that they must keep up the progressiveness and self-discipline that is absolutely necessary in running democratic political parties and administrations in any civilized nation."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I have followed the example of the Hon. the Revenue Minister, Sir. He was also with Mr. Prakasam and he left him to come over here."

* THE HON. SRI KALA VENKATA RAO :—" To-day the hon. Mr. Prakasam and I belong to the same Party, Sir. If Mr. Prakasam is to-day the Prime Minister, I will be his most beloved supporter, in the Legislature. Mr. Prakasam, Sir, is the biggest supporter of our Party and neither I nor he ever changed allegiance."

" Now I come to the question about the inams, Sir. The inams were given as grants. When I speak about this, I hope my hon. Friend Mr. Nayudu will never mistake me. He wanted to take away one important thing that is due to the Brahman, namely, the biksha patra. You can take away our land which our ancestors held and which some still retain. You cannot take away the biksha patra which is our inherent right. Though certain people do not believe in the Hindu religion, as long as the ladies are there in the houses they will give the biksha either from back

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or front doors. Therefore Mr. Narayanaswami Nayudu cannot abolish the biksha patram inam. He may remember, Sir, what the two famous poets of the Andhra have said “మొట్టమొదట చెప్పినట్లుగా” which means ‘You said, you do not give anything. You give me only the biksha patra. I will go and beg and live in the country.’ Therefore Mr. Narayanaswami Nayudu cannot take away that inam which is our permanent possession. Sir, if he will exchange places with me, I have no objection to till the soil and he can take this patra.

“If you go to the Tanjore district, Sir, you find that the labourer, ‘the Pannai All’ has got his ‘Maniakolai.’ A portion of land is given to him for cultivation and he is taking the yield from it as part of his wages. (Interruption.) I do not grudge the maniam to Mr. Narayanaswami Nayudu, Sir, provided he will put the biksha into my patra. Therefore, Sir, we need not go into these things. Unfortunately, both the original grantee of the inams as well as the purchaser of the inams are now not there, because the inams are not with those friends to whom those grants were made centuries ago. They have changed hands. To-day neither Mr. Purushotham nor Mr. Govindacharyulu is owning them. They have been purchased by my hon. Friend Mr. Gopalakrishnayya. The ground that a particular section of people are holding the inams has long ago been exploded. They are in different hands now.

“Then, Sir, there was a particular criticism about clause 9. Clause 9 was introduced only as a consequence of the decision to drop the 1936 inams. Where is the thermometer, Sir, by which we can find out whether an inam is a 1936 inam or a 1908 inam. After all the difficult cases will be the marginal cases numbering a few hundreds. And those things will be gone into by the tribunals. What the tribunals are to be, we will decide later. There is no breach of faith. There is nothing mala fide about this. The Government will not gain Re. 1 or lose Re. 1 by declaring one a 1936 inam or as a 1908 inam. The Government have absolutely no interest in this. I can assure you, Sir, that all the records in the possession of the Government to-day with reference to all the inams will be placed at the disposal of the Settlement Officer and the tribunals so that a right decision may be arrived at. If there is any miscarriage of justice the Government are there to rectify it in proper time.

“Sir, the hon. Member, Mr. Natarajan, has referred to three important features, namely, the chatram villages, the palace estates and the palace devasthanams. Regarding the palace devasthanams, I may straightway say that they are being governed by the Religious Endowments Board and we will consult the Board when we frame the requisite rules for their future administration. Regarding the Tanjore Palace estates I would like to say that this question was already considered by the courts of law. The question was whether the villages originally forming part of the private estate of a Hindu King confiscated by the British Government can subsequently be

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regranted to his successors. The Tanjore Palace estate is a typical instance of this category of villages falling under section 3 (2) (d) of the Estates Land Act as amended. Explanation (2) to section 3 (2) (d) expressly includes such villages within the definition. The real controversy in regard to such estates was whether the villages can be said to have been granted in inam. The history of the Tanjore Palace estate is stated in *Sundaram Ayyar v. Ramachandra Ayyar* in (1917) 32, Madras Law Journal, page 333. Now, Sir, I need not go into the details. Nonetheless it was found in that year that 'These contentions were not accepted by the Full Bench and Wallis C.J. with whom Seshagiri Ayyar J. concurred opined that the term "Inam" as held by the Privy Council in *Raghoji Rao v. Lakshmana Rao Saheb* is a term of wide significance and it was not intended that irresumable grants should be excluded from the scope of the definition in section 3 (2) (d).' There was a difference of opinion about this again and it was finally settled that under the amended version of section 3 (2) (d) in 1936 all the villages in the palace estates would come under the definition of 'estates'. And this is a matter which will be taken into consideration by the Government and the Settlement Officer appointed by them when the matter of the determination of other categories of estates will have to be settled."

SRI K. NATARAJAN :—"Am I to understand, Sir, that so far as the Tanjore Palace estate is concerned they will definitely be classed as 1936 inams?"

* THE HON. SRI KALA VENKATA RAO :—"Sir, Mr. Natarajan would not like that the Government should give a judgment over the matter. The point of view that I have expressed will naturally be taken into consideration, if at all any enquiry is needed about this matter."

"I now come to the question of compensation, Sir. The basis of it has been questioned, namely, whether it should be on the present day income or whether it should be on the basis that is to be settled under the Bill. The other day I gave a detailed history of the whole question and described how the basis followed under the present Bill was the rational basis. But a question was raised: 'Why not apply the Land Acquisition Act?' 'Are you free to assess the quantum of compensation?' 'Is it not illusory?' Sir, they have also raised the question of equity and justice and the question about the mode of payment, whether it should be in cash or in bonds. The question about the purchased estates was also raised. The other point was whether it is not a burden on the tax-payer. Then there is the pet scheme, namely, the German scheme of Dr. John. These were the important points, Sir, that were raised with reference to the question of compensation. In this matter, I should like to give you what the considered opinion of the Government is. With regard to the question of the application of the Land Acquisition Act I would like to point out that there is nothing in section 299 (2) of the Government of India Act

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which compels the Government to proceed under the Land Acquisition Act or to determine compensation in the manner provided under the Land Acquisition Act. The Land Acquisition Act itself is a municipal law and it is quite competent to the Provincial Legislature to repeal the Land Acquisition Act itself or to make it inapplicable to any particular case. If the Government do not propose to exercise the powers vested in them under the Land Acquisition Act they are not bound to pay compensation in the manner determined by that Act. It is therefore up to the Government to undertake special legislation for the purpose of specifying the principles on which compensation is to be determined and the necessary implication of such legislation is that in regard to the acquisition contemplated, the provisions of the Land Acquisition Act can have no application.

“ Now, let us take the other view. Even taking the narrower view, it is quite possible to sustain the validity of the present legislation from another point of view. The market value of a property essentially depends upon the nature of the interest in the property, the extent of the right and the quantum of income. In fact the commonest method of arriving at the market value is to capitalize the income. It is to be remembered that the particular legislation on hand deals with a special tenure of property which is unlike any known to the other systems of jurisprudence. Hence the decisions laying down how the market value has to be calculated with reference to a freehold property are entirely irrelevant for the present discussion. The estates which are proposed to be acquired have peculiar features of their own. They are governed by a special tenure and subject to the Estates Land Act. The income derived by the landholder at a given point of time consists of the rents then payable by the tenants and by its very nature the income would be enhanced by him at his sweet will and pleasure. On the contrary it is open to the Provincial Legislature to reduce the rent payable by the tenant to the landholder. The income derived by the landholder from the lands in his estate cannot be regarded as invariable and constant; and hence the basis with reference to which alone the market value has to be determined. The market value of the landholder's right in the estate is naturally relative to his income and if the rents are reduced thereby diminishing his own income, the market value correspondingly gets reduced. It therefore follows that if by independent legislation the Provincial Government fix the rent payable by the tenants in the estate at a very low level, and thereafter enacts a legislation for the acquisition of the estate, it will follow that the compensation that the landholder gets for the acquisition of his property will be very much less, though it is nevertheless a fair market value having regard to the ryots' income. Instead of undertaking two separate pieces of legislation to achieve that purpose this Bill achieves the same result by enacting the provisions by way of specifying the principles on which compensation is to be determined. This is the position as far as that matter goes.

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"And then, there was another aspect which was also raised on the floor of the House and that is about the question, whether the quantum of compensation could be gone into by a court of law. This is an important question and I have got the opinion of an authority which I quoted in the other House. I would only refer to that here. Donald Kerr in his Law on Australian Constitution at page 199, paragraph 381, says similar things. And Wynes in his book on the Legislative and Executive Powers in Australia says these things at page 248. Both these I have already quoted and hon. Members might have read them in the papers.

5p.m. "Sir, I would also add that no measure of compensation that is to be paid is laid down under section 299 of the Government of India Act. It is not open for any court of law to question the validity or otherwise of any provision made by a Federal or Provincial Legislature by going into the question whether the compensation is adequate or not or whether it is fair and reasonable. It is left to the Legislature to determine and fix the mode of compensation and the principles on which and the manner in which it is to be determined. Sir, the Legislature is the sole judge to say what compensation is to be paid. To support this view, I would like to quote the opinion of the Attorney-General of England with reference to section 299 of the Government of India Act when the Indian Constitution Act was under discussion. In answer to a suggestion that it would be more satisfactory to have an independent body to assess the compensation, he said, 'The whole power vests in the sovereign Legislature to determine the quantity of compensation. Therefore, all that the Legislature has to say is that compensation shall be assessed on the basis of a certain percentage of the market value. If that is done, there would be a way out if there is to be any variation, but when you put an independent body to assess the compensation, you cannot find a way out of this difficulty. Vetoing on the part of the Governor-General is really the most effective proposal which has emerged from section 299 (3) of the original Government of India Act.' But, now, that section has been repealed and the power vests in the sovereign Legislature to determine the quantum of compensation. But, I do not say that simply because we have got the power of the giant, we should use it like a giant."

DR. V. K. JOHN :—"What about the Advocate-General (India)'s opinion?"

* THE HON. SRI KALA VENKATA RAO :—"The hon. Member can judge it for himself. Therefore, Sir, as I said, we cannot exercise such a power as that of the giant even though we possess it. I may also state here that the compensation which we are offering to-day is not illusory. It is a substantial amount. Already there is a strong criticism in the country and in the rural areas that a large amount of compensation is being paid—much more than what was needed. Of course, Sir, Sri Suryanarayana Rao also said that 12½ crores is too much. But, for the rights

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which these estate holders are enjoying, the amount the Government are giving is equitable and just. It is wrong to say that we have decided first to pay only 12 crores as compensation and that we drafted the scheme of compensation later to suit that amount. The question has been engaging the attention of the Government for a number of years and we have come to the conclusion that for the rights enjoyed by the zamindars and also considering the fact that what is being done may not be questioned in any court of law hereafter, we should satisfy our feelings of justice and equity in respect of this matter and therefore we have arrived at the figure of 12½ crores as compensation to be paid to the zamindars. As a matter of fact, if you see the records of the Government you would find that for over five years, various plans have been discussed. From the time of the Advisers' regime, a proposal to take over the Tirumalai-Tirupati Devasthanams Estate was also under contemplation. The matter was discussed in a very meticulous manner and it was handled by the Advisers' Government and also by my predecessor, Mr. Karanth, with the result that we have arrived at a formula, which is liberal enough and according to that formula, we will be giving 12½ crores. Therefore, Sir, hon. Members may see that Government have inverted nothing but have proceeded in a logical manner in respect of this matter.

"Then, Sir, I come to the question of purchased estates. I have already met this point in two ways. One is, if you invest your money in the Reserve Bank, one day the share value may become Rs. 150 and another day, it may come to Rs. 85. Nobody can legislate for it. To-day prices are high. One acre costs Rs. 1,500 but five years ago, it was costing only Rs. 400. We cannot legislate for these things."

SRI B. NARAYANASWAMI NAYUDU :—"Economic laws."

* THE HON. SRI KALA VENKATA RAO :—"Economic laws will of course operate. I do not deny that. Further there is the question of competitive prices. There is a competition between one person and another to purchase a particular estate and one may pay a fancy price on account of competition but on that basis, we cannot assess the compensation. We should have some regulated basis on which we can proceed. We cannot make a distinction between one purchaser who is distinctly new and another old purchaser. If a person has purchased estates which have got certain rights, those rights are being compensated for to-day. The son of a Maharaja or his grandson or great grandson who has inherited an estate should not be treated differently from the man who has purchased an estate."

"Then, Sir, we come to the question of the mode of payment. Much criticism was made about this matter. Whether it should be paid in cash or in bonds is a matter to be decided by the Central Government. Then, Sir, I confess that section 40 of this Bill is fluid. It is particularly kept like that."

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SRI B. NARAYANASWAMI NAYUDU :—“ Barren.”

* THE HON. SRI KALA VENKATA RAO :—“ It can never be barren because Government will have to pay 12 crores. Therefore, it would be a perversion to say that it would be barren. Sir, the question whether we should pay it in cash or in bonds is to be decided by the Central Government and if necessary, we can go in for a loan in the market. Sir, I am prepared to state that as far as this Government are concerned, 12½ crores is nothing. We can borrow that amount easily. But, for raising that loan in the market, we have to obtain the permission of the Central Government. As one hon. Member said, this Government would be gainers if we borrowed and paid off the compensation, and I can prove to the satisfaction of everyone that we would be gainers.

“ Then, Sir, another hon. Member said that it should not be a burden on the general tax-payer. In regard to this matter, I may tell you one thing, the more certain persons went to Delhi trying to bring pressure on the Government the more they would lose because as far as the Madras Government are concerned, we want to pay a reasonable compensation and we feel it is a debt to be discharged. If there is any personal debt for a private individual, he would not get sleep unless he discharges it. In the same manner, Government also feel that this compensation of 12 crores of rupees is a debt which should be discharged. We do not want to have promissory notes made to X or Y or Z, and then go to sleep. Until we manage the amount and clear that debt, we will not get sleep. As I said, Sir, whether the amount will be paid in cash or in bonds will have to be considered by the Central Government. I have promised this House that we will consider the whole matter from all points of view. I may tell you that there is just the possibility—I do not say definitely—there is the possibility that the matter may be referred to the Federal Court to ascertain whether it is permissible to pay the compensation in bonds. If the Federal Court wants us to pay it in cash, we will make requisite arrangements but if it is not necessary, we will adjust things in such a manner as will make things easy for us. Therefore, Sir, there is no intention at all of defrauding anybody in respect of this matter. We will pay what we promise to pay and pay it as early as possible.

“ Then, Sir, Dr. John referred to the German scheme of purchase. Sir, that may be a matter which prevailed in Germany decades ago. But, the situation in India is not such. The Indian tenant and the cultivating tenant have no occupancy right and the pattadar is not after all a rich man. In most cases, he owns less than ten acres of land. Therefore, it will be a heavy burden on his head if that system of purchase is adopted. The hon. Member may remember that in 1921–22, many Harijans were given houses and they were asked to pay Rs. 7 or Rs. 8 or Rs. 10, etc., for those houses. But, for these twenty years, hardly anyone paid even that small amount and even to-day I have got about ten applications with me asking for the writing off of those amounts.

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They are so poor and therefore we cannot burden them further. I have already explained the other day how the ryot has been rack-rented. Further, in this transaction, Government do not lose anything and we need not use the revenue reserves or the money got from the general tax-payer. It will be something like liquidating those bonds for which the ryots will pay in the shape of land revenue in the future. Therefore, as far as the Madras Government are concerned, this matter need not worry us. The other day in reply to an interruption, I said that some proposal was put forward by the Bengal Government to have a co-operative scheme for the purchase of the zamindaris but it was however ruled out at the Revenue Ministers' Conference.

" Then, Sir, I would like to state another important matter. The other day my hon. Friend, Mr. Narayanaswami Nayudu, raised two points : (1) that under clause 3 (b) of the Bill ryoti lands in the occupation of ryots will also stand transferred to the Government and vest in them free of all encumbrances and that there was no justification for taking away these ryoti lands; and (2) that under the proviso to clause 3 (d) the ryot will be dispossessed of the land in his possession if the Government are not convinced that he is *prima facie* entitled to a ryotwari patta in respect of that land and that this was improper.

" As regards the first point, clause 3 (b) has to be read along with clause 3 (a) and clause 11. The estate vests in Government but subject to the right of ryots to continue in possession as ryotwari pattadars. It only enables the Government to acquire an absolute ownership in the lands which are to be converted into ryotwari. The transference and the conversion into ryotwari are simultaneous and there will be no gap in theory between the two processes. No rights of the ryots are acquired under this Bill and what is done under clause 3 (a) is that the rights, customary and others, which the ryots in estates might be exercising hitherto could not be exercised *in toto* when the lands come under the Government. The intention of the Government is that once the entire area is converted into ryotwari, the estate ryots who will become ryotwari pattadars after the notified date should have the same rights as their neighbouring ryotwari friends. Clause 11 completes the process by granting ryotwari patta to a ryot who is entitled to it. If any concessions have to be given for getting fuel loads, etc., from the forests free or otherwise, the Government are prepared to extend such concessions to the present and future ryotwari pattadars together.

" As regards the second point, the object of the proviso to clause 3 (d) is to see that as far as possible, pending a thorough investigation into the relative claims of the landholder and the ryots to any particular piece of land, the person in possession on the notified date should not be disturbed, especially if he is a ryot. The decision by the Settlement Officer referred to in this proviso is the decision arrived at with reference to clause 11 relating to

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grant of ryotwari pattas to ryots and till the date of such decision, the ryot who is in occupation on the notified date will not be disturbed. The person who is now in possession will be protected against dispossession but no interloper who has *prima facie* no title to the land will be allowed to continue in possession to the detriment of a real ryot.

" Clause 1 (d) was introduced merely to get over the criticism of the kind referred to in the first point.

" Then, Sir, the hon. Dr. Lakshmanaswami Mudaliyar raised another important point, namely, about the lands brought under cultivation by the landholder after 1939. The Chair may remember that there was a very keen discussion on this matter and there was a lot of argument about the definition of private land under the Estates Land Act. It is because we felt the justice of the claims in this connexion that we have provided this that where the landlords have improved them—and these were never in possession of the occupancy tenants—they should be given to the zamindars. In fact, the requirements of the twelve years' previous possession provided under 1908 Act is not applied here and there is this concession of a shorter period in favour of the zamindar.

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" But we wanted to give a further concession, and therefore fixed the date as the beginning of fasli 1939, simply because at the beginning of that year, there was the publication and the discussion of the Prakasam Committee Report. More than that, an advantage has been given to the zamindar, in that the period of twelve years originally suggested has actually been reduced. The pertinent question is whether the lands that might have been brought under cultivation subsequent to that date by the zamindar will go to him or not. I may tell the House, Sir, that such lands will revert to the Government. In the matter of reassignment, if the land is very small in extent, and if the dispossessed zamindar has no other private land, we will enunciate a policy to see that a portion or the whole of it will be given to him. If on the other hand, the dispossessed gentleman is a rich person, and has got thousands of acres of land even under this definition, the lands will naturally revert to the Government. And here I must clear the point by saying that these lands will be assigned not to political sufferers, as Dr. John and Mr. B. Narayanaswami Nayudu apprehended, but to the ryots in those areas themselves. For after all, according to the latest figures available as regards the number of applications received by the Government from political sufferers, the number is roughly 13,900, of which about 4,000 or 5,000 applications are not valid. All of these applicants further do not live in zamindari tracts. Even supposing we are giving 5 acres of land to each of these political sufferers, the total acreage of land that will be required for reassignment to them will not exceed about 50,000 acres. And when we have lakhs of acres of land in our Presidency, certainly these 50,000 acres are nothing, and should not form the subject-matter of criticism in this House."

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DR. SRI A. LAKSHMANASWAMI MUDALIYAR :—“ I am anxious to know, Sir, how these lands are going to be assigned . . . ”

THE HON. SRI KALA VENKATA RAO :—“ They will be assigned according to the land assignment policy that is being determined by Government for the ryotwari area. That Government Order has not yet been published, but I can tell the hon. Members of this House now that a decision has been reached by the Cabinet in the matter, that these lands will be distributed to the landless poor in the order of preference to Harijans, Backward Classes and the landless poor, residing in that village. Of course, preference will certainly be given to the local man, because a man from Madras should not be asked to go and cultivate a land near Masulipatam. We have passed similar orders recently. If there are two persons, one of them residing at a distance of ten miles from the place, and another at a distance of one mile, preference will be given to the ‘ one-mile-man ’ rather than to the ‘ ten-mile-man ’ because the cultivation of land is a biological process, which cannot be easily done by the pressing of a button.

“ Another question that has been raised is with reference to the Hasambada village. Really it is a very peculiar case which came to my notice only just now. I am getting the matter legally examined and we shall do all that is possible to see that justice is done to the cause of the ryots in that village.

“ Then comes the question of lands in exchange in Palivela. When the Amalapur canal was dug, those lands were not compensated for. So Government have a moral responsibility to see that the matter is examined, and justice is done to the parties that are involved in the matter.

“ The provision in our Bill, as regards mines, etc., is a very simple and reasonable one, because no other Bill in India has provided for a similar concession. There was a suggestion that the period is limited to one year. But I would only say that that is to apply not to mines, but to other items, such as forests, etc. Where already a contract was given, we do not want to disturb it. With reference to the long-range contracts, we wanted to go still further, subject, however, to the fact that at some future date, the Government may take possession of them. If, however, Government decide upon any particular use of these lands, they have always the right to acquire them. But we definitely said that that could be done only on the payment of a compensation. We have mentioned the Board of Revenue here because there are the standing orders of the Board, with reference to the acquisition of mines, and other ordinary rights in regard to such lands, etc. I assure the House that the same rules that are in vogue now in the ryotwari areas will certainly be applied to these zamindari areas also, and we have no definite intention to disturb anybody who already has got a contract, or in any way favour or patronise anybody.

“ Then, Sir, as regards the question of survey and settlement I can tell the House that we have taken adequate measures already

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and a number of survey parties have been trained, and the moment this Bill becomes law, we will put these survey parties into the field, and we shall take all possible measures to see that the work is finished at the earliest possible time. And our rough estimate is that the last estate will be surveyed within a period of five years. That does not mean that every estate will have to wait for five years to be surveyed. There are small estates as well as big estates. Some big estates have been surveyed already, as for instance the estate of Vijayanagaram, except in a few places. We will take advantage of the available records on the subject, and so we can easily finish the settlement, etc., within a period of five years.

“ My hon. Friend, Mr. Narayanaswami Nayudu, raised a point with regard to the Amarakam accounts, whether they should not be taken as the best information on the subject. Of course, they should certainly be one of the items on which our future policy has to depend. There is no doubt about that. But as is known very well, these accounts are not always correctly kept in a very large number of cases. There are to be found in these accounts the names of persons who lived some 100 years ago. For instance, in the Bubhandi accounts of Palivela village, the name of one Mr. Kala Narayanamurthi is found in these accounts. But there is no such Kala family person at all living within a radius of five miles from the village. The wording of the clause has been made definite having in view all such cases. We do not want to disturb the legal rights of those who have got a patta or an established right. Nor do we wish to create any gap between these ryots and the Government. All steps will be taken to see that the rights which are being enjoyed by a person now, continue to be enjoyed by him. However, if there is any wrong entry, the matter has got to be examined, and I hope these cases will be few and far between.

“ Next comes the question of levelling up of rents. A criticism has been made, why not level up the low rents also, when the high rents are to be reduced. And here I may say we have come into grips with some practical difficulties. I am getting all the notifications so far made under the Rent Reduction Act examined. Except in the case of some six villages, everywhere the rents have been brought down, and there was no need to level them up once again. I may also state that this present notification of rents is not a permanent feature either. I do not think that there will be many cases, according to present experience, where the rents will have to be levelled up. Exceptions there may be, like the very very dry and unapproachable areas like Bhadrachalam where there may be people paying a rent of four annas per acre. But such exceptions will not be many.

“ Then, Sir, coming to buildings in these estates, I may tell the House, that among these 2,810 zamindaris, we cannot find more than about 100 buildings worth mentioning. So, the provision in this Bill will apply only to these 100 buildings or so. In most of these places, there may be only a pial as an office, and in

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the other portion of the building, the zamindar or the landlord may have his residence. We have made a provision in this Act to take away only buildings which have been used for the purpose of administration and collection of rents. Of course, the burden of collecting the rent has been placed upon the zamindar by the sanad; he cannot collect simply by sitting under a tree or in the air. There must be some place from which he could collect his rents. There must be some building for that purpose. That building is now sought to be taken over by Government for the same purpose. Except in very rare cases, I can assure the House, there are no office buildings at all. I have myself seen many of these estates. And there are no buildings at all, except in a few places. In Vijayanagaram, we may not want a building for our administrative purposes. We are not paying any compensation to the zamindar for these buildings because according to the sanad, he was using them exclusively for that purpose, and now we are taking them over for the same purpose. If we want any other building, we will pay compensation for the same, and take possession of it, as Government have always got the right to requisition and acquire buildings for any public purpose as they may think necessary.

"I have now to answer another question about the Tribunals v. the Courts of Justice. I would only like to say this much about this matter. The Tribunal is after all only one form of a court and nothing else. If we allow free litigation it will take so many years—even now my hon. Friend Dr. John is still getting vakalaths under the 1908 Estates Land Act, after a period of 40 years. Just to avoid such a long litigation, these Tribunals are to be constituted. They will function exactly as a Court of Law, in that the personnel of these Tribunals will consist of a District Judge, a Subordinate Judge and a Deputy Collector, one set for each. I can assure the House that only people with a large amount of experience, and people who have been in the judicial service for a pretty long time will be appointed to these Tribunals."

AN HON. MEMBER:—"And honest too."

* THE HON. SRI KALA VENKATA RAO:—"Of course, that is a relative matter. If there is any dishonesty, it is open to my hon. Friend to bring it to the notice of the Government. And we will see that not only such dishonest persons cease to be on the Tribunal, but also cease to be District Judges in the future."

"There was then a reference to the Board of Revenue. Personally, I am one of those who feel that the Board of Revenue should be abolished, the earlier the better. But as long as it is there, it has to perform certain functions; it is exclusively in charge of land records and settlements, etc. Wherever we have mentioned it, it is only related to the settlement business, and nothing else. The Government are not abrogating any of their rights in the matter. My hon. Friends may remember that when we were providing 'Government' as the appellate authority, there was pressure brought to bear upon us that the Board of Revenue should

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be mentioned, because many members of the Select Committee felt that it is more efficient than the Government, and will go into the question thoroughly; if on the other hand it is left to the Government, the Hon. Minister, who has got already so much work to do, may not be able to go into the matter so thoroughly. And many of the amendments given notice of by my hon. Friend Mr. Suryanarayana Rao go only that way. Hon. Members can feel rest assured that the Board of Revenue has been entrusted with nothing but arithmetical work and calculation, because the principles are already there."

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—" If the Board of Revenue acts as a Tribunal, will lawyers be allowed to appear before it? "

* THE HON. SRI KALA VENKATA RAO :—" If it is the view of hon. Members that there should be representation on behalf of the aggrieved parties, we can certainly provide for it in the rules."

SRI R. SURYANARAYANA RAO :—" If there is no belief in the Board of Revenue, why then clause 39? "

* THE HON. SRI KALA VENKATA RAO :—" The Board of Revenue is only an institution. To-day it is in my charge, and I am administering it. We can have an organization with the Presidency Administrative Officers instead of the Board as in other Provinces, or even in our own Presidency. But that is a matter of reform. Till then, the present set-up has to continue. To-morrow hon. Members may say that the Minister should be elected as in Ceylon; but till then, the present Ministry must continue in office. If the Board of Revenue goes, then the arrangement with reference to that also goes. I may say, for the information of the hon. Members of this House, that to-day in about 131 Statutes in our Province, the Board of Revenue is referred to in some form or other. When we eradicate all these things, we will also eradicate the provision in this Bill referring to it. As far as this Bill is concerned, what is entrusted to the Board is simply some piece of arithmetical work, and not any work of a judicial nature."

DR. V. K. JOHN :—" If it could be done by clerks, then why this Board of Revenue? "

* THE HON. SRI KALA VENKATA RAO :—" But, Sir, the Board of Revenue begins with the lower division clerk and ends with the First Member. The Government also begin with the lower division clerk and end with the Hon. Minister, as the Opposition here begins with the back-benchers and ends with the hon. Dr. John. So, the whole thing cannot run in any other way."

5-30
p.m. " Then, Sir, there was a reference to the new modes of agriculture by Dr. Sir A. Lakshmanaswami Mudaliyar. I am thankful to him for his advice to me to go to other countries and see them. With the blessing of the House and with his blessing I may go and see them. But that is only a future programme with reference to agriculture. Questions like fragmentation of holdings, small individual peasant holdings or consolidation of holdings

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are all subjects of major reform which will be dealt with in other Bills. The hon. Member's sound advice that we should take advantage of scientific agricultural methods adopted in other countries will certainly be taken into account when the matter will be considered."

DR. V. K. JOHN :—" It is only after your tour in foreign countries."

* THE HON. SRI KALA VENKATA RAO :—" I may or may not be Minister here. You may come over here and take up the work."

" Sir, with regard to the rules made under clause 40, objection has been raised that there is provision only for placing them before the Legislative Assembly and getting their approval. In the original Bill the Government proposed that the rules should be placed before the Legislature, but it was the Select Committee which changed ' Legislature ' into ' Legislative Assembly.' The Government have no objection to consult this House also about the rules. I do not know how it can be done and I shall consult Dr. John whether we can bring the rules before the House through a Government Motion or by some other method."

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—" It is not a question of the Hon. Minister having no objection to consult this House. If he attaches any value to the opinion of this House, he should on the other hand welcome such consultation."

* THE HON. SRI KALA VENKATA RAO :—" The simple fact that the original provision in the Bill was to the effect that the Legislature should be consulted shows the attitude of the Government from the beginning. It is our desire that the Legislature should be consulted. If necessary, as I told Dr. John, I will bring forward an amending Bill as soon as this is passed into law."

" Then, Sir, Dr. Sir A. Lakshmanaswami Mudaliyar said that there was an apprehension in the minds of some people that this Bill would be a dead letter. Two or three other hon. Members also criticised it in the same way. Without entering into detailed arguments, I may say that I have gone to various places and had the Bill examined, I have taken the best legal advice possible and contacted the ablest administrators. Though I am a layman, I may assure the House that this Bill will not fail in any Court of law. In the matter of enforcement, I assure the House that with the goodwill of all the hon. Members, the Government will certainly see that the Bill is brought into force as early as possible and administered in the best possible way."

" Sir, Dr. Lakshmanaswami Mudaliyar at the end of his speech appealed: ' Lead, kindly light; one step enough for me.' I agree with him completely, Sir. This is the first step and there are many other steps. Whether it will be given to me or to a

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different Minister or different Government, it does not matter. Let that kindly light lead us on, neither to the left nor to the right, but only forward."

DR. V. K. JOHN :—" I wanted to know, Sir, why compensation should be paid from public revenues and not by the pattadars themselves who are benefited."

* THE HON. SRI KALA VENKATA RAO :—" As I have explained already, eventually it will be paid by the pattadars. We are collecting land revenue from him. Wherefrom are we getting the public revenues?

" I will close my reply with this. One Mr. Markham wrote a small poem entitled ' The Man with the Hoe ' some years ago. It reads as follows :—

*' Bowed by the weight of centuries he leans
Upon his hoe and gazes on the ground,
The emptiness of ages on his face,
And on his back the burden of the world.*

*Through this dread shape the suffering ages look,
Time's tragedy is in that aching stoop,
Through this dread shape humanity betrayed,
Plundered, profaned and disinherited,
Cries protest to the powers that made the world
A protest that is also prophecy.'*

" Sir, let ' the man behind the hoe ' have his legitimate rights and get all the help from the peaceful social revolution which the Congress Party, maligned or applauded, wants to bring about in the land revenue administration of this country. Let us all help in this task. Let us take our forward steps united. In view of the high level of the discussions that we have had in this House, I would very much request the House to give their entire support to the Bill. If any difficulties are found in the working of it, we will be the first persons to rectify them at the earliest possible moment, because we never stand on prestige as we have demonstrated more than once. I move, Sir, that the Bill be taken into consideration."

The motion that the Bill be taken into consideration was put to the House and carried.

The House adjourned till 11 a.m. on Tuesday, 23rd November 1948.